

HOUSE BILL No. 2007

By Representatives Dove, Bradford, Campbell, Clayton and Rooker

12-29

Balloon Amendments for HB 2007
Prepared by Jason Long
Office of the Revisor of Statutes
March 5, 2015

1 AN ACT concerning law enforcement, creating a law enforcement mutual
2 aid region for critical incidents.

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4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. (a) As used in this section:

6 (1) "Critical incident" means an incident ~~that could result in~~ serious
7 physical injury or loss of life.

8 (2) "Law enforcement mutual aid region" means the Kansas border
9 counties of Johnson, Leavenworth, Miami and Wyandotte and the
10 Missouri border counties of Platte, Clay, Ray, Jackson and Cass.

11 (b) All law enforcement officers in the law enforcement mutual aid
12 region shall be permitted in critical incidents to respond to lawful requests
13 for aid in any other jurisdiction in the law enforcement mutual aid region.

14 (d) ~~The on-scene incident commander, as defined by the national~~
15 incident management system, shall have the authority to make a request

16 for assistance in a critical incident and shall be responsible for on-scene
17 management until command authority is transferred to another person.

18 (e) If a law enforcement officer makes an arrest or apprehension
19 outside such officer's home state, the offender shall be delivered to the first
20 law enforcement officer who is commissioned in the jurisdiction in which
21 the arrest was made.

22 (f) ~~For the purposes of liability, all members of any political~~
23 subdivision or public safety agency responding under operational control
24 of the requesting political subdivision or public safety agency are deemed
25 employees of such responding political subdivision or public safety agency
26 and are subject to the liability and workers' compensation provisions
27 provided to them as employees of their respective political subdivision or
28 public safety agency. Qualified immunity, sovereign immunity, official
29 immunity and the public duty rule shall apply to the provisions of this
30 section as interpreted by the federal and state courts of the responding
31 agency.

32 Sec. 2. This act shall take effect and be in force from and after its
33 publication in the Kansas register.

where there is an imminent danger of
with jurisdiction

(c) All law enforcement officers with jurisdiction in any county which borders
another state, other than those counties specified in the law enforcement mutual aid
region, may request assistance from a law enforcement agency of a jurisdiction located
in a county that borders the state of Kansas in an adjacent state.

law enforcement

A law enforcement agency may establish policies applicable to officers of that
agency regarding requesting assistance pursuant to this section.

available

The officer making the initial arrest or apprehension shall assist in the preparation of
any affidavits filed with the complaint or based on other evidence that there is
probable cause to believe that both a crime has been committed and the defendant
has committed such crime.

The Kansas tort claims act, K.S.A. 75-6101 et seq., and amendments thereto, and
the Kansas workers compensation act, K.S.A. 44-501 et seq., and amendments
thereto, shall be interpreted consistent with the provisions of this section.

(g) Nothing in this section shall be construed to limit the actions of law
enforcement officers or agencies conducted pursuant to K.S.A. 19-828, and
amendments thereto.

(h) The provisions of article 24 of chapter 22 of the Kansas Statutes Annotated,
and amendments thereto, and K.S.A. 21-5220 et seq., and amendments thereto, are
applicable to any foreign law enforcement officers acting pursuant to a request made
under this section.