

HOUSE BILL No. 2549

By Committee on Federal and State Affairs

1-27

Balloon Amendments for HB 2549
House Committee on Federal and State Affairs
Prepared by Jason Long
Office of Revisor of Statutes
February 9, 2016

1 AN ACT concerning law enforcement; relating to requests for law
2 enforcement assistance from foreign jurisdictions

located outside the state of Kansas, but within the United States

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

5 Section 1. (a) The chief law enforcement executive for any law
6 enforcement agency, or such executive's designee, may request assistance
7 from a law enforcement agency of another jurisdiction, including a
8 jurisdiction located outside the state of Kansas.

, but within the United States

9 (b) If a law enforcement officer makes an arrest or apprehension
10 outside such officer's jurisdiction, the offender shall be delivered to the
11 first available law enforcement officer who is commissioned in the
12 jurisdiction in which the arrest was made. The officer making the initial
13 arrest or apprehension shall assist in the preparation of any affidavits filed
14 with the complaint or based on other evidence that there is probable cause
15 to believe that both a crime has been committed and the defendant has
16 committed such crime.

17 (c) For the purposes of liability, all members of any political
18 subdivision or public safety agency responding under operational control
19 of the requesting political subdivision or public safety agency are deemed
20 employees of such responding political subdivision or public safety agency
21 and are subject to the liability and workers' compensation provisions
22 provided to them as employees of their respective political subdivision or
23 public safety agency. Qualified immunity, sovereign immunity, official
24 immunity and the public duty rule shall apply to the provisions of this
25 section as interpreted by the federal and state courts of the responding
26 agency. The Kansas tort claims act, K.S.A. 75-6101 et seq., and
27 amendments thereto, and the Kansas workers compensation act, K.S.A.
28 44-501 et seq., and amendments thereto, shall be interpreted consistent
29 with the provisions of this section.

30 (d) Nothing in this section shall be construed to limit the actions of
31 law enforcement officers or agencies conducted pursuant to K.S.A. 19-
32 828, and amendments thereto.

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

from jurisdictions located outside the state of Kansas, but within the
United States who are

1 (f) For purposes of this section, the term "law enforcement officer"
2 shall have the same meaning as that term is defined by K.S.A. 74-5602,
3 and amendments thereto, or a law enforcement officer who has obtained a
4 similar designation to one described in K.S.A. 74-5602, and amendments
5 thereto, in a jurisdiction outside the state of Kansas, but within the United
6 States.

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