

SENATE BILL No. 395

By Committee on Federal and State Affairs

1-26

1 AN ACT concerning privacy rights; relating to real property; imposing
2 restrictions on access and surveillance by employees of the Kansas
3 department of wildlife and parks.
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5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. (a) No employee of the Kansas department of wildlife and
7 parks authorized to enforce the laws of the state of Kansas pursuant to
8 K.S.A. 32-808, and amendments thereto, shall conduct surveillance on
9 private property unless authorized pursuant to a warrant under K.S.A. 22-
10 2502, and amendments thereto, the constitution of the United States or one
11 of the following exceptions to the search warrant requirement:

12 (1) Exigent circumstances;

13 (2) consent searches; or

14 (3) the plain view doctrine.

15 (b) As used in this section:

16 (1) "Surveillance" means either physical or electronic presence on
17 private property, including the use or installation of a tracking device, to
18 monitor activity or collect information related to the enforcement of the
19 laws of the state of Kansas.

20 (2) "Tracking device" means the same as defined in K.S.A. 22-2502,
21 and amendments thereto.

22 Sec. 2. This act shall take effect and be in force from and after its
23 publication in the statute book.