

As Amended by House Committee

Session of 2016

HOUSE BILL No. 2549

By Committee on Federal and State Affairs

1-27

1 AN ACT concerning law enforcement; relating to requests for law  
2 enforcement assistance from ~~foreign~~ jurisdictions **located outside the**  
3 **state of Kansas, but within the United States.**

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

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

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

19 (c) For the purposes of liability, all members of any political  
20 subdivision or public safety agency responding under operational control  
21 of the requesting political subdivision or public safety agency are deemed  
22 employees of such responding political subdivision or public safety agency  
23 and are subject to the liability and workers' compensation provisions  
24 provided to them as employees of their respective political subdivision or  
25 public safety agency. Qualified immunity, sovereign immunity, official  
26 immunity and the public duty rule shall apply to the provisions of this  
27 section as interpreted by the federal and state courts of the responding  
28 agency. The Kansas tort claims act, K.S.A. 75-6101 et seq., and  
29 amendments thereto, and the Kansas workers compensation act, K.S.A.  
30 44-501 et seq., and amendments thereto, shall be interpreted consistent  
31 with the provisions of this section.

32 (d) Nothing in this section shall be construed to limit the actions of  
33 law enforcement officers or agencies conducted pursuant to K.S.A. 19-  
34 828, and amendments thereto.

35 (e) The provisions of article 24 of chapter 22 of the Kansas Statutes  
36 Annotated, and amendments thereto, and K.S.A. 21-5220 et seq., and

1 amendments thereto, are applicable to any—~~foreign~~ law enforcement  
2 officers **from jurisdictions located outside the state of Kansas, but**  
3 **within the United States who are** acting pursuant to a request made under  
4 this section.

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

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