

To: House Federal and State Affairs

From: John Goodyear, Staff Attorney

Date: March 12, 2021

RE: Neutral Testimony on HB 2415

I want to thank Chairman Barker and the members of the Committee for affording the League of Kansas Municipalities the opportunity to provide neutral testimony today regarding HB 2415.

The League of Kansas Municipalities supports the goal of HB 2415. The State Fire Marshal and investigators of the office should be empowered to conduct searches and seizures and make arrests while investigating those crimes within their jurisdiction. Additionally, those investigators that are certified law enforcement officers should be able to enforce breaches of the law that they encounter in the routine conduct of their duties.

The League is neutral on the base bill because of an initial concern regarding the breadth of Section 1(a). We thought it necessary, in order to more clearly define when investigators could exercise law enforcement powers, to flesh out the “course” language found in the bill as proposed. We voiced this concern to Mr. Jorgenson and worked with him and Mr. Klumpp to reach a compromise, finding language that we feel more clearly defines when investigators can act and more accurately reflects the goals of the legislation.

Further, the League is supportive of the changes proposed to Section 1(b) as well. Joint investigations will allow both fire departments and law enforcement agencies to utilize their expertise to determine what happened and what course is needed when a body is found on the scene.

With my testimony, I have included the amendments proposed by the Fire Marshal and agreed to by interested parties earlier this week. I am grateful for the work of Mr. Jorgenson and Mr. Klumpp to address the concerns of our organization and for their willingness to meet and discuss the issue. The League supports these amendments and would ask that they be added to the bill if the Committee chooses to recommend HB 2415 favorably for passage.