

SESSION OF 2022

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 435**

As Recommended by Senate Committee on  
Judiciary

**Brief\***

SB 435 would amend law regarding the jurisdiction and powers of law enforcement officers, as follows.

***Powers and Authority of Law Enforcement Officers  
Without Statewide Jurisdiction***

The bill would amend a statute governing jurisdiction of various law enforcement officers to provide a new subsection consolidating and clarifying the ability of law enforcement officers who do not otherwise have statewide jurisdiction to exercise the powers and authority of law enforcement officers anywhere when:

- A request for assistance has been made by law enforcement officers from the area for which assistance is requested;
- In fresh pursuit of a person;
- Transporting persons in custody to an appropriate facility, wherever such facility may be located; and
- Investigating a crime that occurred within the law enforcement officer's jurisdiction, with appropriate notification to and coordination with a local law enforcement agency with jurisdiction where the investigation is to be conducted.

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

The bill would make conforming technical amendments to reflect the reorganization of the section. The bill also would amend a statute governing school security officers and campus police officers to remove redundant language regarding the powers and authority of campus police officers that would be included in the new subsection added by the bill.

### ***Powers and Authority of Law Reinforcement Officers Outside Their Jurisdiction***

In addition to the authority described above, the bill would provide law enforcement officers may exercise the powers and authority of law enforcement officers when outside their statutory jurisdiction when an illegal act is observed that the officer reasonably believes will jeopardize the safety of any person without immediate action, subject to conditions specified by the bill.

### **Background**

The bill was introduced by the Senate Committee on Judiciary at the request of a representative of the Kansas Association of Chiefs of Police, Kansas Peace Officers Association, and Kansas Sheriffs' Association.

### ***Senate Committee on Judiciary***

In the Senate Committee hearing on February 9, 2022, the representative described above and a representative of the Blue Valley Campus Police Department testified as **proponents** of the bill, stating the current general jurisdiction statute for law enforcement officers contains several gaps and inconsistencies, and greater clarity is needed for officers to effectively respond to emergencies. Written-only proponent testimony was provided by representatives of the Johnson County Sheriff's Office and the League of Kansas Municipalities. No other testimony was provided.

## **Fiscal Information**

According to the fiscal note prepared by the Division of the Budget on the bill, the Kansas Association of Counties states that enactment of the bill could reduce county first responder expenditures because the bill would allow for intervention in an incident at an earlier stage instead of letting a crime persist during the time it takes an officer in that jurisdiction to respond. However, the bill could also increase costs for counties if procedures of intervening and responding agencies are different, and those differences create confusion during the emergency situation. However, a precise fiscal effect cannot be estimated. The League of Kansas Municipalities states that some additional staff time may be required to ensure enforcement of the bill; however, any effect would be negligible.

The Office of Judicial Administration states that enactment of the bill would have a negligible effect on its expenditures and revenues. The Adjutant General, Office of the Attorney General, Kansas Bureau of Investigation, Kansas Highway Patrol, Board of Regents, University of Kansas, University of Kansas Medical Center, and Kansas State University all indicate that the enactment of the bill would not have a fiscal effect. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2023 Governor's Budget Report*.

Law enforcement officers; jurisdiction