

SESSION OF 2007

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2068

As Amended by Senate Committee on
Federal and State Affairs

Brief*

HB 2068, as amended, would allow the Adjutant General to appoint security and TAG law enforcement officers to protect all National Guard property and equipment, wherever it may be located in the State, and for the protection of persons and property associated with the National Guard. The TAG law enforcement officers appointed by the Adjutant General would be required to have successfully completed law enforcement training and certification. The TAG law enforcement officers would have all of the general law enforcement powers, rights, privileges, protections, and immunities when acting within such officer's jurisdiction. Specifically, the bill would authorize a TAG law enforcement officer to make arrests for violations of state or federal laws within such officer's jurisdiction, while on duty. The person arrested may be released to the local law enforcement agency or the TAG law enforcement officer would be authorized to book arrested persons in jail.

The TAG law enforcement officers would be required to maintain reports which would be kept on file with the Adjutant General. A TAG law enforcement officer is defined as a police officer employed by the Adjutant General.

TAG law enforcement officers may exercise their police powers:

- On property owned or under the control of the Kansas National Guard;

*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>

- On streets, property, and highways immediately adjacent to property owned or under the control of the Kansas National Guard to protect the health, safety, and welfare of members of the National Guard, reserve, or employees of the United States Department of Defense and Homeland Security. An agreement to protect property would be subject to approval by the affected city and county and the Adjutant General.

The security officers or TAG law enforcement officers appointed by the Adjutant General would be required to wear and publically display a badge of office.

Background

Previously, military police were utilized to secure the perimeter and interior of the National Guard Headquarters Complex. However, many Guard units were activated and deployed, which left a void requiring additional security officers. The bill is proposed to ensure security officers meet the minimum qualifications for certification as a law enforcement officer and to authorize jurisdiction.

The House Committee amended the bill to strike language which appeared to exempt those security officers appointed by the Adjutant General from the minimum qualifications for certification required of all other law enforcement officers. The Committee added language which clarifies the security officers appointed by the Adjutant General are required to meet the same minimum qualifications for certification.

The proponents of the bill were Representative Mario Goico; Randy Mettner, Executive Officer for Major General Tod Bunting, Kansas Adjutant General; and Ed Klumpp, Kansas Association of Chiefs of Police.

There was no testimony in opposition to the bill.

The fiscal note from the Division of Budget estimates the total cost would be \$57,386 in FY 2008 for an increase in pay for 19.00 FTE security officer positions. The Adjutant General's Office would pay for the increase with monies from the agency's federal Military Fee Fund. Any fiscal effect associated with the enactment of this bill is not accounted for in *The FY 2008 Governor's Budget Report*.