

SESSION OF 2026

SUPPLEMENTAL NOTE ON SENATE BILL NO. 452

As Amended by Senate Committee on Federal
and State Affairs

Brief*

SB 452, as amended, would create the crime of unlawful approach of a first responder and would incorporate federal law enforcement officers, their vehicles, and enforcement of federal law into certain traffic, criminal, and tort laws. The bill would also make technical changes.

Unlawful Approach of a First Responder

The bill would create a new crime within the Kansas Criminal Code of unlawful approach of a first responder, which would be defined as:

- Approaching or remaining within 25 feet of an individual who the person knows or reasonably should have known is a first responder;
- While such first responder is engaged in the performance of such first responder's duties;
- After receiving a visual or audible signal not to approach or remain within 25 feet of such first responder given by a first responder because of reasonable belief, under the totality of circumstances, that separation is necessary for the safety of any person or property; and
- Causing such first responder to:

*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 <https://klrd.gov/>

- Be distracted from performing such first responder's duties; or
- Have an increased level of concern of physical harm to any person or damage to property.

The bill would classify unlawful approach of a first responder as a class B person misdemeanor. [*Note:* Under continuing law, this penalty could include a fine up to \$1,000 and jail term of up to 6 months.]

The bill would define:

- "First responder" to mean a law enforcement officer, an emergency medical services provider as defined in law, or a firefighter as defined in law;
- "Law enforcement officer" to mean the same as defined in continuing law and any federal law enforcement officer as defined in federal law.

Abandoned Vehicles

The bill would amend law regarding abandoned and disabled motor vehicles to specify that any law enforcement officer would be authorized to move an unattended vehicle that interferes with public highway operations or any law enforcement operations.

The bill would define law enforcement officer as defined in continuing law and would include any federal law enforcement officer as defined in federal law.

Emergency Vehicles

The bill would amend the definition of "authorized emergency vehicle" to include law enforcement vehicles owned by the federal government.

The bill would add to the list of vehicles not required to be designated by the board of county commissioners as authorized emergency vehicles: any fire department vehicles or police vehicles that are publicly owned, including any such vehicle owned by the federal government.

Interference Crimes

The bill would amend law governing the crime of interference with law enforcement to define “any person authorized by law” to include but not be limited to a law enforcement officer as defined in continuing law and any federal law enforcement officer as defined in federal law.

The bill would amend law governing the crime of interference with the conduct of public business in public buildings to include conduct at public buildings owned, operated, or controlled by the United States.

Kansas Tort Claims Act

The bill would amend the Kansas Tort Claims Act to add that a governmental entity or an employee acting within the scope of employment would not be liable for damages resulting from enforcement of or failure to enforce any federal law or executive order, whether valid or invalid.

Background

The bill was introduced by the Senate Committee on Federal and State Affairs at the request of Senator Masterson.

Senate Committee on Federal and State Affairs

In the Senate Committee hearing, **proponent** testimony was provided by Senator Masterson and a representative of

Kansas Association of Chiefs of Police, Kansas Peace Officers Association, and Kansas Sheriffs Association. The proponents generally stated that the bill's intent is to bridge any gaps between state and federal law enforcement and address recent issues like those that have arisen in Minnesota. The proponents also discussed a potential amendment to add provisions similar to Florida's Halo Law which would create a 25-foot buffer zone between first responders and members of the public.

Written-only proponent testimony was provided by a representative of the Office of the Attorney General.

Opponent testimony was provided by representatives of Kansas Interfaith Action and the Kansas Latino Community Network, who raised concerns with the treatment of U.S. Immigration and Customs Enforcement (ICE) agents' vehicles as emergency vehicles and discussed how federal immigration officers are trained and operate differently from state and local law enforcement. The opponents also raised concerns about infringement of civil liberties and potential abuse of power by ICE agents.

Written-only opponent testimony was provided by representatives of the American Civil Liberties Union of Kansas, Advocates for Immigrant Rights and Reconciliation, New Frontier, and four private citizens.

No other testimony was provided.

The Senate Committee amended the bill to:

- Create the crime of unlawful approach of a first responder; and
- Make technical changes.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Sentencing Commission (Commission) estimates that enactment of the bill could result in an increase in prison admissions and the number of adult prison beds needed. The current estimated available bed capacity is 9,924 for males and 968 for females. Based upon the Commission's most recent ten-year projection contained in its *FY 2026 Adult Inmate Prison Population Projections* report, it is estimated that the year-end population will total 9,176 male and 924 female inmates in FY 2026 and 9,485 male and 953 female inmates in FY 2027.

The Department of Corrections indicates that enactment of the bill would have no fiscal effect on its operations.

The Board of Indigents' Defense Services indicates that enactment of the bill would increase State General Fund expenditures for assigned counsel costs. Because the agency's offices currently operate at capacity, additional cases generated by the bill would likely be referred to private attorneys for court appointment at a rate of \$125 per hour. The agency estimates that each case charged as a severity level 8 or 9 nonperson felony would require approximately 35 hours of defense attorney work, at a cost of \$4,375 per case, and each case charged as a severity level 5, 6, or 7 nonperson felony would require approximately 57 hours, at a cost of \$7,125 per case.

The Judicial Branch indicates that enactment of the bill would have a negligible fiscal effect on its operations. Any fiscal effect associated with the bill is not reflected in *The FY 2027 Governor's Budget Report*.

The Kansas Association of Counties indicates that enactment of the bill could increase county government expenditures for judicial proceedings, depending on the number of cases affected; however, it is unable to determine a specific estimate of this effect. The League of Kansas

Municipalities indicates that enactment of the bill would have no fiscal effect on cities.

Law enforcement; federal law enforcement