

HOUSE BILL No. 2496

By Committee on Corrections and Juvenile Justice

1-20

1 AN ACT concerning law enforcement; relating to law enforcement
2 officers and juvenile justice authority employees; amending K.S.A.
3 2011 Supp. 74-5602 and repealing the existing section S

38-2386

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

5 Section 2 K.S.A. 2011 Supp. 74-5602 is hereby amended to read as
6 follows: 74-5602. As used in the Kansas law enforcement training act:

7 (a) "Training center" means the law enforcement training center
8 within the division of continuing education of the university of Kansas,
9 created by K.S.A. 74-5603, and amendments thereto.

10 (b) "Commission" means the Kansas commission on peace officers'
11 standards and training, created by K.S.A. 74-5606, and amendments
12 thereto.

13 (c) "Dean" means the dean of continuing education of the university
14 of Kansas.

15 (d) "Director of police training" means the director of police training
16 at the law enforcement training center.

17 (e) "Director" means the executive director of the Kansas commission
18 on peace officers' standards and training.

19 (f) "Law enforcement" means the prevention or detection of crime
20 and the enforcement of the criminal or traffic laws of this state or of any
21 municipality thereof.

22 (g) "Police officer" or "law enforcement officer" means a full-time or
23 part-time salaried officer or employee of the state, a county or a city,
24 whose duties include the prevention or detection of crime and the
25 enforcement of the criminal or traffic laws of this state or of any
26 municipality thereof. Such terms shall include, but not be limited to: The
27 sheriff, undersheriff and full-time or part-time salaried deputies in the
28 sheriff's office in each county; deputy sheriff's deputized pursuant to
29 K.S.A. 19-2858, and amendments thereto; conservation officers of the
30 Kansas department of wildlife and parks, parks and tourism; university
31 police officers, as defined in K.S.A. 22-2401a, and amendments thereto;
32 campus police officers, as defined in K.S.A. 22-2401a, and amendments
33 thereto; law enforcement agents of the director of alcoholic beverage
34 control; law enforcement agents designated by the secretary of revenue
35 pursuant to K.S.A. 2011 Supp. 75-5157, and amendments thereto; law
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Sec 1. 38-2386 is hereby amended to read as follows:

(a)

38-2386. Law enforcement power. The superintendent of any juvenile correctional facility operated by the commissioner, all persons on the staff of the juvenile justice authority who are in the chain of command from the commissioner of juvenile justice to the juvenile corrections officer and every juvenile corrections officer, regardless of rank and every investigator, while acting within the scope of their duties as employees of the juvenile justice authority, shall possess such powers and duties of a law enforcement officer as are necessary for performing such duties for the purpose of regaining or maintaining custody, security and control of any person in the custody of the commissioner and may exercise such powers and duties anywhere within the state of Kansas. Such powers and duties may be exercised outside the state of Kansas for the purpose of maintaining custody, security and control of any person in the custody of the commissioner being transported or escorted by anyone authorized to so act. Such employees of the juvenile justice authority shall be responsible to and shall be at all times under the supervision and control of the commissioner of juvenile justice or the commissioner's designee.

(b) The commissioner shall have the authority to appoint and designate special investigators. Each special investigator designated by the commissioner is hereby vested with the power and authority of peace and police officers and shall have the authority to:

- (1) Make arrests;
- (2) conduct searches and seizures;
- (3) maintain custody, security and control of any person in the custody of the commissioner; and
- (4) generally enforce all the criminal laws of the state as violations of those laws are encountered during the routine performance of duty.

(c) No special investigator may carry firearms while performing such duties without having first successfully completed the training course prescribed for law enforcement officers under the Kansas law enforcement training act, K.S.A. 74-5601 et seq., and amendments thereto.

(d) Each special investigator designated shall: (1) Be vested with law enforcement authority; (2) be in the classified service under the Kansas civil service act; and (3) be subject to the requirements of the Kansas law enforcement training act, K.S.A. 74-5601 et seq., and amendments thereto.

(e) The commissioner may adopt rules and regulations prescribing additional training required for such special investigators.