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MEMORANDUM

To: Senate Committee on Judiciary
From: Office of Revisor of Statutes
Date: February 9, 2022
Subject: Bill Brief for SB 435

Senate Bill 435 expands law enforcement officers' jurisdiction to include situations when an illegal act is observed that the officer reasonably believes will jeopardize the safety of any person without immediate action.

Section 1 amends K.S.A. 22-2401a, the criminal procedure statute concerning law enforcement officer jurisdiction. The bill makes the language more consistent in each subsection for different types of law enforcement officers and consolidates provisions that apply to all officers into new subsection (h). All law enforcement officers not otherwise provided statewide jurisdiction may exercise the powers and authority of law enforcement officers anywhere when: (1) A request for assistance has been made by law enforcement officers from the area for which assistance is requested; (2) in fresh pursuit of a person; (3) transporting persons in custody to an appropriate facility, wherever such facility may be located; and (4) 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. New subsection (i) provides that in addition to the jurisdictional authority provided in this section and any other provision of law, all law enforcement officers may exercise the powers and authority of law enforcement officers when outside their described jurisdiction and when an illegal act is observed that the officer reasonably believes will jeopardize the safety of any person without immediate action, subject to specified conditions.

Section 2 amends K.S.A. 72-6146, the statute concerning school security officers and campus police officers. The bill removes subsection (d) because the same provisions are in K.S.A. 22-2401a.