

SESSION OF 2018

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2648

As Amended by House Committee on
Corrections and Juvenile Justice

Brief*

HB 2648, as amended, would amend the definition of a law enforcement officer for purposes of the crimes of assault and battery of a law enforcement officer by including uniformed or properly identified federal law enforcement officers while such officers are engaged in the performance of their duty. "Federal law enforcement officer" would be defined as a law enforcement officer employed by the U.S. federal government who, as part of such officer's duties, is permitted to make arrests and to be armed.

Background

The bill was introduced by the House Committee on Corrections and Juvenile Justice at the request of Representative Finch (on behalf of federal law enforcement officers). In the House Committee hearing, proponent testimony was presented by a representative of the Kansas Association of Chiefs of Police, Kansas Peace Officers Association, and Kansas Sheriffs' Association, and representatives of the Federal Law Enforcement Officers Association. Proponents indicated that federal agents frequently collaborate with state and local law enforcement in the course of criminal investigations and service of warrants.

The House Committee amended the bill to add language regarding the federal officer being "uniformed or properly

*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>

identified” to make the new provisions consistent with existing provisions.

According to the fiscal note prepared by the Division of Budget on the bill, as introduced, the Office of Judicial Administration (OJA) estimates there is a potential for increased litigation with a corresponding fiscal effect on the operations of the court system. A fiscal effect could not be determined; however, the OJA estimated any effect would not require additional resources.

The Kansas Sentencing Commission estimated the bill could have an effect on prison admission and bed space; however, the effect could not be estimated. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2019 Governor’s Budget Report*.