

## 2023 Kansas Statutes

**32-1055. Prohibition on conducting surveillance on private property by employees of the Kansas department of wildlife and parks; exceptions.** (a) Except as provided in subsection (b), no employee of the Kansas department of wildlife and parks authorized to enforce the laws of the state of Kansas pursuant to K.S.A. 32-808, and amendments thereto, shall conduct surveillance on private property unless authorized pursuant to a lawfully issued warrant, court order or subpoena, the constitution of the United States or one of the following exceptions to the search warrant requirement:

- (1) Exigent circumstances;
- (2) consent searches; or
- (3) the plain view doctrine.

(b) The provisions of subsection (a) shall not apply to any activities of an employee of the Kansas department of wildlife and parks when the purpose of the surveillance is to locate and retrieve a missing person.

(c) As used in this section:

- (1) "Surveillance" means the installation and use of electronic equipment or devices on private property, including, but not limited to, the installation and use of a tracking device, video camera or audio recording device, to monitor activity or collect information related to the enforcement of the laws of the state of Kansas; and
- (2) "tracking device" means the same as defined in K.S.A. 22-2502, and amendments thereto.

**History:** L. 2022, ch. 92, § 2; July 1.

Language similar to section was enacted by L. 2022, ch. 78, § 2, but that version was repealed by L. 2022, ch. 92, § 9.