

HOUSE BILL No. 2970

By Committee on Judiciary

2-15

AN ACT concerning criminal procedure; relating to jurisdiction of law enforcement officers; amending K.S.A. 2001 Supp. 22-2401a and repealing the existing section.

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

Section 1. K.S.A. 2001 Supp. 22-2401a is hereby amended to read as follows: 22-2401a. (1) Law enforcement officers employed by consolidated county law enforcement agencies or departments and sheriffs and their deputies may exercise their powers as law enforcement officers:

(a) Anywhere within their county; ~~and~~

(b) in any other place when a request for assistance has been made by law enforcement officers from that place or when in fresh pursuit of a person;

(c) *in any other place when engaged in the investigation of an offense committed and reported in the jurisdiction employing the law enforcement officer;*

(d) *in any other place when executing a valid arrest warrant or search warrant, to the extent necessary to execute such warrants; and*

(e) *in any other place that a law enforcement officer witnesses a crime, including a traffic infraction.*

(2) Law enforcement officers employed by any city may exercise their powers as law enforcement officers:

(a) Anywhere within the city limits of the city employing them and outside of such city when on property owned or under the control of such city; ~~and~~

(b) in any other place when a request for assistance has been made by law enforcement officers from that place or when in fresh pursuit of a person;

(c) *in any other place when engaged in the investigation of an offense committed and reported in the jurisdiction employing the law enforcement officer;*

(d) *in any other place when executing a valid arrest warrant or search warrant, to the extent necessary to execute such warrants; and*

(e) *in any other place that a law enforcement officer witnesses a crime, including a traffic infraction.*

1 (3) University police officers employed by the chief executive officer
2 of any state educational institution or municipal university may exercise
3 their powers as university police officers anywhere:

4 (a) On property owned or operated by the state educational institu-
5 tion or municipal university, by a board of trustees of the state educational
6 institution, an endowment association, an athletic association, a fraternity,
7 sorority or other student group associated with the state educational in-
8 stitution or municipal university;

9 (b) on the streets, property and highways immediately adjacent to the
10 campus of the state educational institution or municipal university;

11 (c) within the city where such property as described in this subsection
12 is located, as necessary to protect the health, safety and welfare of stu-
13 dents and faculty of the state educational institution or municipal univer-
14 sity, with appropriate agreement by the local law enforcement agencies.
15 Such agreements shall include provisions defining the geographical scope
16 of the jurisdiction conferred, circumstances requiring the extended juris-
17 diction, scope of law enforcement powers and duration of the agreement.
18 Any agreement entered into pursuant to this provision shall be approved
19 by the governing body of the city or county, or both, having jurisdiction
20 where such property is located, and the chief executive officer of the state
21 educational institution or municipal university involved before such
22 agreement may take effect; and

23 (d) additionally, when there is reason to believe that a violation of a
24 state law, a county resolution, or a city ordinance has occurred on property
25 described in subsection (3)(a) or (b), such officers with appropriate no-
26 tification of, and coordination with, local law enforcement agencies or
27 departments, may investigate and arrest persons for such a violation an-
28 ywhere within the city where such property, streets and highways are
29 located. Such officers also may exercise such powers in any other place
30 when in fresh pursuit of a person. University police officers shall also have
31 authority to transport persons in custody to an appropriate facility, wher-
32 ever it may be located. University police officers at the university of Kan-
33 sas medical center may provide emergency transportation of medical sup-
34 plies and transplant organs.

35 ~~(4) In addition to the areas where law enforcement officers may ex-~~
36 ~~ercise their powers pursuant to subsection (2), law enforcement officers~~
37 ~~of any jurisdiction within Johnson or Sedgwick county may exercise their~~
38 ~~powers as law enforcement officers in any area within the respective~~
39 ~~county when executing a valid arrest warrant or search warrant, to the~~
40 ~~extent necessary to execute such warrants.~~

41 ~~(5) (4)~~ In addition to the areas where university police officers may
42 exercise their powers pursuant to subsection (3), university police officers
43 may exercise the powers of law enforcement officers in any area outside

1 their normal jurisdiction when a request for assistance has been made by
2 law enforcement officers from the area for which assistance is requested.

3 ~~(6) In addition to the areas where law enforcement officers may ex-~~
4 ~~ercise their powers pursuant to subsection (2), law enforcement officers~~
5 ~~of any jurisdiction within Johnson county may exercise their powers as~~
6 ~~law enforcement officers in any adjoining city within Johnson county~~
7 ~~when any crime, including a traffic infraction, has been or is being com-~~
8 ~~mitted by a person in view of the law enforcement officer. A law enforce-~~
9 ~~ment officer shall be considered to be exercising such officer's powers~~
10 ~~pursuant to subsection (2), when such officer is responding to the scene~~
11 ~~of a crime, even if such officer exits the city limits of the city employing~~
12 ~~the officer and further reenters the city limits of the city employing the~~
13 ~~officer to respond to such scene.~~

14 ~~(7) (5) As used in this section:~~

15 (a) "Law enforcement officer" has the meaning ascribed thereto in
16 K.S.A. 22-2202 and amendments thereto.

17 (b) "University police officers" means university police officers em-
18 ployed by the chief executive officer of: (1) any state educational insti-
19 tution under the control and supervision of the state board of regents; or
20 (2) a municipal university.

21 (c) "Fresh pursuit" means pursuit, without unnecessary delay, of a
22 person who has committed a crime, or who is reasonably suspected of
23 having committed a crime.

24 Sec. 2. K.S.A. 2001 Supp. 22-2401a is hereby repealed.

25 Sec. 3. This act shall take effect and be in force from and after its
26 publication in the statute book.

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