

HOUSE Substitute for SENATE BILL No. 136

By Committee on Federal and State Affairs

3-12

9 AN ACT concerning university and campus police officers; amending
10 K.S.A. 21-3110, 21-3409, 21-3411 and 72-8222 and K.S.A. 2003 Supp.
11 21-3413, 21-3415, 22-2401a, 74-5602 and 76-726 and repealing the
12 existing sections.
13

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

15 Section 1. K.S.A. 21-3110 is hereby amended to read as follows: 21-
16 3110. The following definitions shall apply when the words and phrases
17 defined are used in this code, except when a particular context clearly
18 requires a different meaning.

19 (1) "Act" includes a failure or omission to take action.

20 (2) "Another" means a person or persons as defined in this code other
21 than the person whose act is claimed to be criminal.

22 (3) "Conduct" means an act or a series of acts, and the accompanying
23 mental state.

24 (4) "Conviction" includes a judgment of guilt entered upon a plea of
25 guilty.

26 (5) "Deception" means knowingly and willfully making a false state-
27 ment or representation, express or implied, pertaining to a present or past
28 existing fact.

29 (6) To "deprive permanently" means to:

30 (a) Take from the owner the possession, use or benefit of ~~his or her~~
31 property, without an intent to restore the same; or

32 (b) Retain property without intent to restore the same or with intent
33 to restore it to the owner only if the owner purchases or leases it back,
34 or pays a reward or other compensation for its return; or

35 (c) Sell, give, pledge or otherwise dispose of any interest in property
36 or subject it to the claim of a person other than the owner.

37 (7) "Dwelling" means a building or portion thereof, a tent, a vehicle
38 or other enclosed space which is used or intended for use as a human
39 habitation, home or residence.

40 (8) "Forcible felony" includes any treason, murder, voluntary man-
41 slaughter, rape, robbery, burglary, arson, kidnapping, aggravated battery,
42 aggravated sodomy and any other felony which involves the use or threat
43 of physical force or violence against any person.

1 (9) "Intent to defraud" means an intention to deceive another person,
2 and to induce such other person, in reliance upon such deception, to
3 assume, create, transfer, alter or terminate a right, obligation or power
4 with reference to property.

5 (10) "Law enforcement officer" means:

6 (a) Any person who by virtue of such person's office or public em-
7 ployment is vested by law with a duty to maintain public order or to make
8 arrests for crimes, whether that duty extends to all crimes or is limited to
9 specific crimes ~~or~~;

10 (b) any officer of the Kansas department of corrections or, for the
11 purposes of K.S.A. 21-3409, 21-3411 and 21-3415 ~~and subsection (a)(2)~~
12 ~~of K.S.A. 21-3413~~, and amendments thereto, any employee of the Kansas
13 department of corrections; *or*

14 (c) *any university police officer or campus police officer, as defined*
15 *in K.S.A. 22-2401a, and amendments thereto.*

16 (11) "Obtain" means to bring about a transfer of interest in or pos-
17 session of property, whether to the offender or to another.

18 (12) "Obtains or exerts control" over property includes but is not
19 limited to, the taking, carrying away, or the sale, conveyance, or transfer
20 of title to, interest in, or possession of property.

21 (13) "Owner" means a person who has any interest in property.

22 (14) "Person" means an individual, public or private corporation, gov-
23 ernment, partnership, or unincorporated association.

24 (15) "Personal property" means goods, chattels, effects, evidences of
25 rights in action and all written instruments by which any pecuniary obli-
26 gation, or any right or title to property real or personal, shall be created,
27 acknowledged, assigned, transferred, increased, defeated, discharged, or
28 dismissed.

29 (16) "Property" means anything of value, tangible or intangible, real
30 or personal.

31 (17) "Prosecution" means all legal proceedings by which a person's
32 liability for a crime is determined.

33 (18) "Public employee" is a person employed by or acting for the
34 state or by or for a county, municipality or other subdivision or govern-
35 mental instrumentality of the state for the purpose of exercising their
36 respective powers and performing their respective duties, and who is not
37 a "public officer."

38 (19) "Public officer" includes the following, whether elected or
39 appointed:

40 (a) An executive or administrative officer of the state, or a county,
41 municipality or other subdivision or governmental instrumentality of or
42 within the state.

43 (b) A member of the legislature or of a governing board of a county,

1 municipality, or other subdivision of or within the state.
2 (c) A judicial officer, which shall include a judge of the district court,
3 juror, master or any other person appointed by a judge or court to hear
4 or determine a cause or controversy.
5 (d) A hearing officer, which shall include any person authorized by
6 law or private agreement, to hear or determine a cause or controversy
7 and who is not a judicial officer.
8 (e) A law enforcement officer.
9 (f) Any other person exercising the functions of a public officer under
10 color of right.
11 (20) "Real property" or "real estate" means every estate, interest, and
12 right in lands, tenements and hereditaments.
13 (21) "Solicit" or "solicitation" means to command, authorize, urge,
14 incite, request, or advise another to commit a crime.
15 (22) "State" or "this state" means the state of Kansas and all land and
16 water in respect to which the state of Kansas has either exclusive or con-
17 current jurisdiction, and the air space above such land and water. "Other
18 state" means any state or territory of the United States, the District of
19 Columbia and the Commonwealth of Puerto Rico.
20 (23) "Stolen property" means property over which control has been
21 obtained by theft.
22 (24) "Threat" means a communicated intent to inflict physical or
23 other harm on any person or on property.
24 (25) "Written instrument" means any paper, document or other in-
25 strument containing written or printed matter or the equivalent thereof,
26 used for purposes of reciting, embodying, conveying or recording infor-
27 mation, and any money, token, stamp, seal, badge, trademark, or other
28 evidence or symbol of value, right, privilege or identification, which is
29 capable of being used to the advantage or disadvantage of some person.
30 Sec. 2. K.S.A. 21-3409 is hereby amended to read as follows: 21-
31 3409. (a) Assault of a law enforcement officer is an assault, as defined in
32 K.S.A. 21-3408 and amendments thereto;
33 (1) Committed against a uniformed or properly identified state,
34 county or city law enforcement officer while such officer is engaged in
35 the performance of such officer's duty; or
36 (2) *committed against a uniformed or properly identified university*
37 *or campus police officer while such officer is engaged in the performance*
38 *of such officer's duty.*
39 (b) Assault of a law enforcement officer is a class A person
40 misdemeanor.
41 Sec. 3. K.S.A. 21-3411 is hereby amended to read as follows: 21-
42 3411. (a) Aggravated assault of a law enforcement officer is an aggravated
43 assault, as defined in K.S.A. 21-3410 and amendments thereto;

1 (1) Committed against a uniformed or properly identified state,
2 county or city law enforcement officer while such officer is engaged in
3 the performance of such officer's duty; *or*

4 (2) *committed against a uniformed or properly identified university*
5 *or campus police officer while such officer is engaged in the performance*
6 *of such officer's duty.*

7 (b) Aggravated assault of a law enforcement officer is a severity level
8 6, person felony. A person convicted of aggravated assault of a law en-
9 forcement officer shall be subject to the provisions of subsection (g) of
10 K.S.A. 21-4704, and amendments thereto.

11 Sec. 4. K.S.A. 2003 Supp. 21-3413 is hereby amended to read as
12 follows: 21-3413. Battery against a law enforcement officer is a battery,
13 as defined in K.S.A. 21-3412 and amendments thereto:

14 (a) (1) Committed against a uniformed or properly identified state,
15 county or city law enforcement officer, other than a state correctional
16 officer or employee, a city or county correctional officer or employee, a
17 juvenile correctional facility officer or employee or a juvenile detention
18 facility officer or employee, while such officer is engaged in the perform-
19 ance of such officer's duty;

20 (2) committed against a state correctional officer or employee by a
21 person in custody of the secretary of corrections, while such officer or
22 employee is engaged in the performance of such officer's or employee's
23 duty;

24 (3) committed against a juvenile correctional facility officer or em-
25 ployee by a person confined in such juvenile correctional facility, while
26 such officer or employee is engaged in the performance of such officer's
27 or employee's duty;

28 (4) committed against a juvenile detention facility officer or employee
29 by a person confined in such juvenile detention facility, while such officer
30 or employee is engaged in the performance of such officer's or employee's
31 duty; ~~or~~

32 (5) committed against a city or county correctional officer or em-
33 ployee by a person confined in a city holding facility or county jail facility,
34 while such officer or employee is engaged in the performance of such
35 officer's or employee's duty; *or*

36 (6) *committed against a uniformed or properly identified university*
37 *or campus police officer while such officer is engaged in the performance*
38 *of such officer's duty.*

39 (b) Battery against a law enforcement officer as defined in subsection
40 (a)(1) is a class A person misdemeanor. Battery against a law enforcement
41 officer as defined in subsection (a)(2), (a)(3), (a)(4) or (a)(5) is a severity
42 level 5, person felony.

43 (c) As used in this section:

1 (1) "Correctional institution" means any institution or facility under
2 the supervision and control of the secretary of corrections.

3 (2) "State correctional officer or employee" means any officer or em-
4 ployee of the Kansas department of corrections or any independent con-
5 tractor, or any employee of such contractor, working at a correctional
6 institution.

7 (3) "Juvenile correctional facility officer or employee" means any of-
8 ficer or employee of the juvenile justice authority or any independent
9 contractor, or any employee of such contractor, working at a juvenile
10 correctional facility, as defined in K.S.A. 38-1602 and amendments
11 thereto.

12 (4) "Juvenile detention facility officer or employee" means any officer
13 or employee of a juvenile detention facility as defined in K.S.A. 38-1602
14 and amendments thereto.

15 (5) "City or county correctional officer or employee" means any cor-
16 rectional officer or employee of the city or county or any independent
17 contractor, or any employee of such contractor, working at a city holding
18 facility or county jail facility.

19 Sec. 5. K.S.A. 2003 Supp. 21-3415 is hereby amended to read as
20 follows: 21-3415. (a) Aggravated battery against a law enforcement officer
21 is:

22 (1) An aggravated battery, as defined in subsection (a)(1)(A) of K.S.A.
23 21-3414 and amendments thereto, committed against: (A) A uniformed
24 or properly identified state, county or city law enforcement officer while
25 the officer is engaged in the performance of the officer's duty; or (B) *a*
26 *uniformed or properly identified university or campus police officer while*
27 *such officer is engaged in the performance of such officer's duty;*

28 (2) an aggravated battery, as defined in subsection (a)(1)(B) or
29 (a)(1)(C) of K.S.A. 21-3414 and amendments thereto, committed against:
30 (A) A uniformed or properly identified state, county or city law enforce-
31 ment officer while the officer is engaged in the performance of the offi-
32 cer's duty; or (B) *a uniformed or properly identified university or campus*
33 *police officer while such officer is engaged in the performance of such*
34 *officer's duty; or*

35 (3) intentionally causing, *with a motor vehicle*, bodily harm to: (A) A
36 uniformed or properly identified state, county or city law enforcement
37 officer ~~with a motor vehicle~~, while the officer is engaged in the perform-
38 ance of the officer's duty; or (B) *a uniformed or properly identified uni-*
39 *versity or campus police officer while such officer is engaged in the per-*
40 *formance of such officer's duty.*

41 (b) (1) Aggravated battery against a law enforcement officer as de-
42 scribed in subsection (a)(1) or (a)(3) is a severity level 3, person felony.

43 (2) Aggravated battery against a law enforcement officer as described

1 in subsection (a)(2) is a severity level 6, person felony.
2 (3) A person convicted of aggravated battery against a law enforce-
3 ment officer shall be subject to the provisions of subsection (g) of K.S.A.
4 21-4704 and amendments thereto.
5 Sec. 6. K.S.A. 2003 Supp. 22-2401a is hereby amended to read as
6 follows: 22-2401a. (1) Law enforcement officers employed by consoli-
7 dated county law enforcement agencies or departments and sheriffs and
8 their deputies may exercise their powers as law enforcement officers:
9 (a) Anywhere within their county; and
10 (b) in any other place when a request for assistance has been made
11 by law enforcement officers from that place or when in fresh pursuit of
12 a person.
13 (2) Law enforcement officers employed by any city may exercise their
14 powers as law enforcement officers:
15 (a) Anywhere within the city limits of the city employing them and
16 outside of such city when on property owned or under the control of such
17 city; and
18 (b) in any other place when a request for assistance has been made
19 by law enforcement officers from that place or when in fresh pursuit of
20 a person.
21 (3) University police officers employed by the chief executive officer
22 of any state educational institution or municipal university may exercise
23 ~~their powers as university police~~ *the power and authority of law enforce-*
24 *ment officers* anywhere:
25 (a) On property owned, *occupied* or operated by the state educational
26 institution or municipal university, by a board of trustees of the state
27 educational institution; *or by* an endowment association, ~~an~~ athletic as-
28 sociation, ~~a~~ fraternity, sorority or other student group associated with the
29 state educational institution or municipal university;
30 (b) on the streets, property and highways immediately adjacent to ~~the~~
31 ~~campus of the state educational institution or municipal university and~~
32 *coterminous with property described in subsection (3)(a);*
33 (c) within the city ~~where such property as described in this subsection~~
34 *or county where property described in subsection (3)(a) is located*, as
35 necessary to protect the health, safety and welfare of students and faculty
36 of the state educational institution or municipal university, with appro-
37 priate agreement by the local law enforcement agencies. Such agreements
38 shall include provisions defining the geographical scope of the jurisdiction
39 conferred, circumstances requiring the extended jurisdiction, scope of law
40 enforcement powers and duration of the agreement. *Before* any agree-
41 ment entered into pursuant to this provision *shall take effect*, it shall be
42 approved by the governing body of the city or county, or both, having
43 jurisdiction where such property is located, and the chief executive officer

1 of the state educational institution or municipal university involved ~~before~~
2 ~~such agreement may take effect, and;~~

3 (d) ~~additionally with appropriate notification of and coordination~~
4 ~~with local law enforcement agencies, within the city or county where~~
5 ~~property described in subsection (3)(a) is located, when there is reason~~
6 ~~to believe that a violation of a state law, a county resolution; or a city~~
7 ~~ordinance has occurred on such property described in subsection (3)(a)~~
8 ~~or (b), such officers with appropriate notification of, and coordination~~
9 ~~with, local law enforcement agencies or departments, may, as necessary~~
10 ~~to investigate and arrest persons for such a violation anywhere within the~~
11 ~~city where such property, streets and highways are located. Such officers~~
12 ~~also may exercise such powers in any other place;~~

13 (e) ~~when in fresh pursuit of a person. University police officers shall~~
14 ~~also have authority to transport;~~

15 (f) ~~when transporting persons in custody to an appropriate facility,~~
16 ~~wherever it may be located. University police officers at the university of~~
17 ~~Kansas medical center may provide; and~~

18 (g) ~~when providing emergency transportation of medical supplies and~~
19 ~~transplant organs.~~

20 (4) In addition to the areas where law enforcement officers may ex-
21 ercise their powers pursuant to subsection (2), law enforcement officers
22 of any jurisdiction within Johnson or Sedgwick county may exercise their
23 powers as law enforcement officers in any area within the respective
24 county when executing a valid arrest warrant or search warrant, to the
25 extent necessary to execute such warrants.

26 (5) In addition to the areas where university police officers may ex-
27 ercise their powers pursuant to subsection (3), university police officers
28 may exercise the powers of law enforcement officers in any area outside
29 their normal jurisdiction when a request for assistance has been made by
30 law enforcement officers from the area for which assistance is requested.

31 (6) In addition to the areas where law enforcement officers may ex-
32 ercise their powers pursuant to subsection (2), law enforcement officers
33 of any jurisdiction within Johnson county may exercise their powers as
34 law enforcement officers in any adjoining city within Johnson county
35 when any crime, including a traffic infraction, has been or is being com-
36 mitted by a person in view of the law enforcement officer. A law enforce-
37 ment officer shall be considered to be exercising such officer's powers
38 pursuant to subsection (2), when such officer is responding to the scene
39 of a crime, even if such officer exits the city limits of the city employing
40 the officer and further reenters the city limits of the city employing the
41 officer to respond to such scene.

42 (7) *Campus police officers employed by a community college or school*
43 *district may exercise the power and authority of law enforcement officers*

1 *anywhere:*

2 (a) *On property owned, occupied or operated by the school district*
3 *or community college or at the site of a function sponsored by the school*
4 *district or community college;*

5 (b) *on the streets, property and highways immediately adjacent to*
6 *and coterminous with property described in subsection (7)(a);*

7 (c) *within the city or county where property described in subsection*
8 *(7)(a) is located, as necessary to protect the health, safety and welfare of*
9 *students and faculty of the school district or community college, with*
10 *appropriate agreement by local law enforcement agencies. Such agree-*
11 *ments shall include provisions, defining the geographical scope of the ju-*
12 *risdiction conferred, circumstances requiring the extended jurisdiction,*
13 *scope of law enforcement powers and duration of the agreement. Before*
14 *any agreement entered into pursuant to this section shall take effect, it*
15 *shall be approved by the governing body of the city or county, or both,*
16 *having jurisdiction where such property is located, and the board of ed-*
17 *ucation or board of trustees involved;*

18 (d) *with appropriate notification of and coordination with local law*
19 *enforcement agencies, within the city or county where property described*
20 *in subsection (7)(a) is located, when there is reason to believe that a vi-*
21 *olation of a state law, county resolution or city ordinance has occurred*
22 *on such property, as necessary to investigate and arrest persons for such*
23 *a violation;*

24 (e) *when in fresh pursuit of a person; and*

25 (f) *when transporting persons in custody to an appropriate facility,*
26 *wherever it may be located.*

27 ~~(7)~~ (8) *As used in this section:*

28 (a) *“Law enforcement officer” has the meaning ascribed thereto in*
29 *K.S.A. 22-2202 and amendments thereto.*

30 (b) *“University police officers officer” means university police officers*
31 *a police officer employed by the chief executive officer of: (1) Any state*
32 *educational institution under the control and supervision of the state*
33 *board of regents; or (2) a municipal university.*

34 (c) *“Campus police officer” means a school security officer designated*
35 *as a campus police officer pursuant to K.S.A. 72-8222, and amendments*
36 *thereto.*

37 ~~(e)~~ (d) *“Fresh pursuit” means pursuit, without unnecessary delay, of*
38 *a person who has committed a crime, or who is reasonably suspected of*
39 *having committed a crime.*

40 Sec. 7. K.S.A. 72-8222 is hereby amended to read as follows: 72-
41 8222. (a) The board of education of any school district or the board of
42 trustees of any community college may employ school security officers,
43 and may designate any one or more of such school security officers as a

1 ~~school law enforcement~~ *campus police* officer, to aid and supplement law
2 enforcement agencies of ~~this state and of the community~~ *the state and of*
3 *the city and county* in which the school district or community college is
4 located.

5 (b) The protective function of school security officers ~~and school law~~
6 ~~enforcement officers~~ shall extend to all ~~school district~~ *property of the*
7 *school district or community college* and the protection of students, teach-
8 ers and other employees together with the property of such persons on
9 or in any school or *community college* property or areas adjacent thereto,
10 or while attending or located at the site of any school or community
11 college-sponsored function. While engaged in the protective functions
12 specified in this section, each school security officer ~~and each school law~~
13 ~~enforcement officer~~ shall possess and exercise all general law enforce-
14 ment powers, rights, privileges, protections and immunities in every
15 county in which there is located any part of the territory of the school
16 district or community college.

17 (c) *The protective function of campus police officers shall extend to*
18 *all property of the school district or community college and the protection*
19 *of students, teachers and other employees together with the property of*
20 *such persons on or in any school or community college property or areas*
21 *adjacent thereto, or while attending or located at the site of any school or*
22 *community college-sponsored function. While engaged in the protective*
23 *functions specified in this section, each campus police officer shall possess*
24 *and exercise all general law enforcement powers, rights, privileges, pro-*
25 *tections and immunities in every county in which there is located any part*
26 *of the territory of the school district or community college.*

27 (d) *In addition to enforcement of state law, county resolutions and*
28 *city ordinances, campus police officers shall enforce rules and regulations*
29 *and rules and policies of the board of trustees or school board, whether*
30 *or not violation thereof constitutes a criminal offense. While on duty,*
31 *campus police officers shall wear and display publicly a badge of office.*
32 *No such badge shall be required to be worn by any plain clothes inves-*
33 *tigator or departmental administrator, but any such officer shall present*
34 *proper credentials and identification when required in the performance*
35 *of such officer's duties. In performance of any of the powers, duties and*
36 *functions authorized by this section, K.S.A. 2003 Supp. 22-2401a, and*
37 *amendments thereto, or any other law, campus police officers shall have*
38 *the same rights, protections and immunities afforded other law enforce-*
39 *ment officers.*

40 (e) *The board of education of each school district shall adopt a policy*
41 *providing for notification of a student's parents or guardians whenever*
42 *the student is taken into custody by a campus police officer.*

43 Sec. 8. K.S.A. 2003 Supp. 74-5602 is hereby amended to read as

1 follows: 74-5602. As used in the Kansas law enforcement training act:
2 (a) “Training center” means the law enforcement training center
3 within the division of continuing education of the university of Kansas,
4 created by K.S.A. 74-5603 and amendments thereto.
5 (b) “Commission” means the Kansas law enforcement training com-
6 mission, created by K.S.A. 74-5606 and amendments thereto.
7 (c) “Dean” means the dean of the division of continuing education
8 of the university of Kansas.
9 (d) “Director,” as created in K.S.A. 74-5603 and amendments
10 thereto, means the director of police training at the law enforcement
11 training center.
12 (e) “Police officer” or “law enforcement officer” means a full-time or
13 part-time salaried officer or employee of the state, a county or a city,
14 whose duties include the prevention or detection of crime and the en-
15 forcement of the criminal or traffic laws of this state or of any municipality
16 thereof. Such terms shall include, but not be limited to, the sheriff, un-
17 dersheriff and full-time or part-time salaried deputies in the sheriff’s of-
18 fice in each county; deputy sheriffs deputized pursuant to K.S.A. 19-2858
19 and amendments thereto; conservation officers of the Kansas department
20 of wildlife and parks; ~~campus police officers at all state educational insti-~~
21 ~~tutions or a municipal university~~ *university police officers, as defined in*
22 *K.S.A. 22-2401a, and amendments thereto; campus police officers, as de-*
23 *defined in K.S.A. 22-2401a, and amendments thereto; law enforcement*
24 *agents of the director of alcoholic beverage control; law enforcement*
25 *agents of the Kansas lottery; law enforcement agents of the Kansas racing*
26 *commission; deputies and assistants of the state fire marshal having law*
27 *enforcement authority; capitol area security guards, existing under the*
28 *authority of K.S.A. 75-4503 and amendments thereto. Such terms shall*
29 *also include railroad policemen appointed pursuant to K.S.A. 66-524 and*
30 *amendments thereto; and school security officers designated as school*
31 *law enforcement officers pursuant to K.S.A. 72-8222 and amendments*
32 *thereto. Such terms shall not include any elected official, other than a*
33 *sheriff, serving in the capacity of a law enforcement or police officer solely*
34 *by virtue of such official’s elected position; any attorney-at-law having*
35 *responsibility for law enforcement and discharging such responsibility*
36 *solely in the capacity of an attorney; any employee of the commissioner*
37 *of juvenile justice, the secretary of corrections or the secretary of social*
38 *and rehabilitation services; any deputy conservation officer of the Kansas*
39 *department of wildlife and parks; or any employee of a city or county who*
40 *is employed solely to perform correctional duties related to jail inmates*
41 *and the administration and operation of a jail; or any full-time or part-*
42 *time salaried officer or employee whose duties include the issuance of a*
43 *citation or notice to appear provided such officer or employee is not*

1 vested by law with the authority to make an arrest for violation of the laws
2 of this state or any municipality thereof, and is not authorized to carry
3 firearms when discharging the duties of such person's office or employ-
4 ment. Such term shall include any officer appointed or elected on a pro-
5 visional basis.

6 (f) "Full-time" means employment requiring at least 1,000 hours of
7 work per year.

8 (g) "Part-time" means employment on a regular schedule or employ-
9 ment which requires a minimum number of hours each payroll period,
10 but in any case requiring less than 1,000 hours of work per year.

11 (h) "Misdemeanor crime of domestic violence" means a violation of
12 domestic battery as provided by K.S.A. 2003 Supp. 21-3412a and amend-
13 ments thereto, or any other misdemeanor under federal, municipal or
14 state law that has as an element the use or attempted use of physical
15 force, or the threatened use of a deadly weapon, committed by a current
16 or former spouse, parent, or guardian of the victim, by a person with
17 whom the victim shares a child in common, by a person who is cohabiting
18 with or has cohabited with the victim as a spouse, parent or guardian, or
19 by a person similarly situated to a spouse, parent or guardian of the victim.

20 (i) "Auxiliary personnel" means members of organized nonsalaried
21 groups which operate as an adjunct to a police or sheriff's department,
22 including reserve officers, posses and search and rescue groups.

23 Sec. 9. K.S.A. 2003 Supp. 76-726 is hereby amended to read as fol-

24 lows: 76-726. (a) The chief executive officer of any state educational in-
25 stitution may employ university police officers to aid and supplement state
26 and local law enforcement agencies. ~~Such university police officers shall~~
27 ~~have the power and authority of law enforcement officers: (1) On property~~
28 ~~owned or operated by the state educational institution, by a board of~~
29 ~~trustees of the state educational institution, an endowment association,~~
30 ~~an athletic association, a fraternity, sorority or other student group asso-~~
31 ~~ciated with the state educational institution;~~

32 ~~—(2) on the streets, property and highways immediately adjacent to the~~
33 ~~campus of the state educational institution;~~

34 ~~—(3) within the city where such property as described in this subsection~~
35 ~~is located, as necessary to protect the health, safety and welfare of stu-~~
36 ~~dents and faculty of the state educational institution or municipal univer-~~
37 ~~sity, with appropriate agreement by local law enforcement agencies. Such~~
38 ~~agreements shall include provisions, defining the geographical scope of~~
39 ~~the jurisdiction conferred, circumstances requiring the extended jurisdic-~~
40 ~~tion, scope of law enforcement powers and duration of the agreement.~~
41 ~~Any agreement entered into pursuant to this provision shall be approved~~
42 ~~by the governing body of the city or county, or both, having jurisdiction~~
43 ~~where such property is located, and the chief executive officer of the state~~

1 ~~educational institution or municipal university involved before such~~
2 ~~agreement may take effect, and~~
3 ~~— (4) — additionally when there is reason to believe that a violation of a~~
4 ~~state law, a county resolution, or a city ordinance has occurred on property~~
5 ~~described in provisions (1) or (2), such officers, with appropriate notifi-~~
6 ~~cation of, and coordination with, local law enforcement agencies, may~~
7 ~~investigate and arrest persons for such a violation anywhere within the~~
8 ~~city where such property, streets and highways are located. University~~
9 ~~police officers shall also have authority to transport persons in custody to~~
10 ~~an appropriate facility, wherever it may be located. University police of-~~
11 ~~ficers at the university of Kansas medical center may provide emergency~~
12 ~~transportation of medical supplies and transplant organs.~~

13 (b) In addition to enforcement of state law, county resolutions and
14 city ordinances, university police officers shall enforce rules and regula-
15 tions of the board of regents and rules and policies of the state educational
16 institution, whether or not violation thereof constitutes a criminal offense.
17 ~~Every~~ *While on duty*, university police officer shall, ~~while on duty~~, *officers*
18 *shall* wear and publicly display a badge of office, ~~except that~~. No such
19 badge shall be required to be worn by any plain clothes investigator or
20 departmental administrator, but any such ~~person~~ *officer* shall present
21 proper credentials and identification when required in the performance
22 of such officer's duties. In performance of any of the powers, duties and
23 functions authorized by this ~~act~~ *section, K.S.A. 2003 Supp. 22-2401a, and*
24 *amendments thereto*, or any other law, university police officers shall have
25 the same rights, protections and immunities afforded to other law en-
26 forcement officers.

27 Sec. 10. K.S.A. 21-3110, 21-3409, 21-3411 and 72-8222 and K.S.A.
28 2003 Supp. 21-3413, 21-3415, 22-2401a, 74-5602 and 76-726 are hereby
29 repealed.

30 Sec. 11. This act shall take effect and be in force from and after its
31 publication in the statute book.