

SENATE Substitute for HOUSE BILL No. 2133

By Committee on Judiciary

3-15

9 AN ACT relating to law enforcement; concerning special deputies; re-
10 lating to multijurisdictional agreements; amending K.S.A. 2003 Supp.
11 19-805a, 19-805b and 19-828 and repealing the existing sections.
12

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

14 Section 1. K.S.A. 2003 Supp. 19-805a is hereby amended to read as
15 follows: 19-805a. In all counties ~~having a population in excess of 100,000,~~
16 the sheriff shall have authority to appoint so many special deputies as the
17 sheriff deems proper and for whose official acts the sheriff shall be re-
18 sponsible. Before an appointment shall be made the sheriff or marshal of
19 the district court shall have the right to demand an indemnity bond before
20 any commission as special deputy shall be issued. The appointments may
21 be revoked at the pleasure of the appointing officer, except that all ap-
22 pointments made by a sheriff pursuant to this section shall automatically
23 be revoked at the time that such appointing sheriff's service as sheriff
24 concludes. Except as provided by K.S.A. 2003 Supp. 19-827, *and amend-*
25 *ments thereto*, a special deputy appointed under this section shall not
26 receive any payment, for services rendered, from public funds.

27 Sec. 2. K.S.A. 2003 Supp. 19-805b is hereby amended to read as
28 follows: 19-805b. Except as provided by K.S.A. 2003 Supp. 19-827, *and*
29 *amendments thereto*, special deputies appointed pursuant to K.S.A. 19-
30 805a, and amendments thereto, may be limited in their authority to per-
31 form the acts of a peace officer in or about certain specified premises or
32 relating thereto *or to provide crime prevention or security services on or*
33 *about any public facility or property when so directed by the sheriff*, but
34 shall have a general right in event of riot, sabotage, *terroristic attack* or
35 serious disturbances or breach of the peace to call upon and deputize any
36 other peace officer or private citizen to assist such special deputy in quell-
37 ing such ~~riot or disturbance~~ *events*.

38 Sec. 3. K.S.A. 2003 Supp. 19-828 is hereby amended to read as fol-
39 lows: 19-828. Any county in the state of Kansas which borders another
40 state, with the agreement of the sheriff, may enter into agreement with
41 the political subdivisions in such other state's contiguous county to form
42 a multijurisdictional law enforcement group for the enforcement of drug
43 and controlled substances laws *or for the prevention, detection or inves-*

1 *tigation of any terroristic activity*. Such other state's law enforcement
2 officers may be deputized as officers of the counties of this state partic-
3 ipating in such an agreement and shall be deemed to have met all require-
4 ments of law enforcement training and certification required under
5 K.S.A. 74-5601 *et seq.* and amendments thereto if such officers have sat-
6 isfied the applicable law enforcement officer training and certification
7 standards in force in such other state. Such other state's law enforcement
8 officers shall have the same powers and immunities as law enforcement
9 officers certified and commissioned in Kansas while conducting investi-
10 gations to enforce drug and controlled substances laws *or engaged in the*
11 *prevention, detection or investigation of terroristic activity* with the mul-
12 ti-jurisdictional enforcement group.

13 Sec. 4. K.S.A. 2003 Supp. 19-805a, 19-805b and 19-828 are hereby
14 repealed.

15 Sec. 5. This act shall take effect and be in force from and after its
16 publication in the statute book.