

HB 2041 -- MUTUAL-AID AGREEMENTS

SPONSOR: Wilson

This bill allows specified Missouri counties to enter into a mutual-aid agreement with specified Kansas counties for reciprocal emergency aid. In its main provisions, the bill:

(1) Requires the Missouri counties of Platte, Clay, Ray, Jackson and Cass, and the Kansas counties of Johnson, Leavenworth, Miami, and Wyandotte, known as the Mid America Regional Council, to be permitted to respond to critical incidents or in noncritical incidents to any other county in the mutual aid region with lawful reciprocal emergency aid;

(2) Requires an on-scene incident commander to have the authority to make a request for assistance in a critical incident and to be responsible for on-scene management until command authority is transferred to another person;

(3) Requires the chief executive of the requesting political subdivision or public safety agency, or his or her designee, to have the authority to make a request for assistance in a noncritical incident. The request must be made to the chief executive of the assisting political subdivision or public safety agency, or his or her designee;

(4) Requires, in the event that an officer makes an arrest or apprehension outside his or her home state, the offender to be delivered to the first officer who is commissioned in the requesting jurisdiction;

(5) Specifies that all members of any political subdivision or public safety agency responding under operational control of the requesting political subdivision or public safety agency are deemed employees of the responding political subdivision or public safety agency and are subject to the liability and workers' compensation provisions provided to them as employees of their respective political subdivision or public safety agency;

(6) Requires qualified immunity to be given to responding members acting in good faith, in an objectively reasonable manner, and consistent with the lawful authority granted to them by the political subdivision's or agency's home state;

(7) Requires the Director of the Department of Public Safety to execute and deliver a written certification to the Governor, Speaker of the House of Representatives, and President Pro Tem of the Senate if he or she determines that the State of Kansas has

enacted legislation or the Governor of Kansas has issued an executive order or similar action that permits Kansas border counties to enter into a similar mutual-aid agreement as described under these provisions;

(8) Specifies that upon the execution and delivery of the written certification and the parties receiving the certification providing a unanimous written affirmation, these provisions become effective unless otherwise provided by law; and

(9) Requires the department director to notify the Revisor of Statutes of any changes that would render these provisions effective.