

SECOND REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 1859

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE RHOADS.

5215H.01P

D. ADAM CRUMBLISS, ChiefClerk

AN ACT

To amend chapter 44, RSMo, by adding thereto one new section relating to mutual aid agreements.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 44, RSMo, is amended by adding thereto one new section, to be
2 known as section 44.091, to read as follows:

44.091. 1. For purposes of this section, the following terms mean:

2 **(1) "Law enforcement officer", any public servant having both the power and duty**
3 **to make arrests for violations of any ordinance or law of this state, and any federal law**
4 **enforcement officer authorized to carry firearms and to make arrests for violations of the**
5 **laws of the United States;**

6 **(2) "Requesting entity", any law enforcement agency or entity within this state**
7 **empowered by law to maintain a law enforcement agency;**

8 **(3) "Sending agency", a law enforcement agency that has been requested to provide**
9 **assistance by a requesting entity.**

10 **2. Whenever any law enforcement agency enters into a mutual aid arrangement or**
11 **agreement with another entity as provided in subsection 44.090, any law enforcement**
12 **officer assisting the requesting entity shall have the same powers of arrest as he or she has**
13 **in his or her own jurisdiction and the same powers arrest as officers of the requesting**
14 **entity. Such powers shall be limited to the location where such services are requested to**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 be provided, for the duration of the specific event, and while acting under the direction of
16 the requesting entity's chief law enforcement officer or his or her designee.

17 3. Any law enforcement officer assisting a requesting entity under a mutual aid
18 arrangement or agreement under section 44.090 shall be deemed an employee of the
19 sending agency and shall be subject to the workers' compensation, overtime, and expense
20 reimbursement provisions provided to him or her as an employee of the sending agency.

21 4. Any law enforcement officer assisting a requesting entity under a mutual aid
22 arrangement or agreement under section 44.090 shall enjoy the same legal immunities as
23 an officer of the requesting entity, including sovereign immunity, official immunity, and
24 the public duty doctrine.

25 5. Nothing in this section shall be construed to limit the powers of arrest provided
26 to a law enforcement officer by any other law.

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