

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 870, Page 1,
2 Section A, Line 8, by inserting immediately after said section and line the following:

3
4 "44.098. 1. As used in this section, the following terms mean:

5 (1) "Critical incident", an incident that could result in serious physical injury or loss of life;

6 (2) "Kansas border county", the county of Cherokee;

7 (3) "Law enforcement mutual aid region", the counties of Jasper and Newton, including the
8 Joplin metropolitan area, and the Kansas border county and Oklahoma border county as defined in
9 this section;

10 (4) "Oklahoma border counties", the counties of Ottawa and Delaware;

11 (5) "Missouri border counties", the counties of Jasper and Newton.

12 2. All law enforcement officers in the law enforcement mutual aid region shall be permitted
13 in critical incidents to respond to lawful requests for aid in any other jurisdiction in the law
14 enforcement mutual aid region.

15 3. The on-scene incident commander, as defined by the National Incident Management
16 System, shall have the authority to make a request for assistance in a critical incident and shall be
17 responsible for on-scene management until command authority is transferred to another person.

18 4. In the event that an officer makes an arrest or apprehension outside his or her home state,
19 the offender shall be delivered to the first officer who is commissioned in the jurisdiction in which
20 the arrest was made.

21 5. For the purposes of liability, all members of any political subdivision or public safety
22 agency responding under operational control of the requesting political subdivision or public safety
23 agency are deemed employees of such responding political subdivision or public safety agency and
24 are subject to the liability and workers' compensation provisions provided to them as employees of
25 their respective political subdivision or public safety agency. Qualified immunity, sovereign
26 immunity, official immunity, and the public duty rule shall apply to the provisions of this section as
27 interpreted by the federal and state courts of the responding agency.

28 6. If the director of the Missouri department of public safety determines that the state of
29 Kansas has enacted legislation or the governor of Kansas has issued an executive order or similar
30 action that permits Kansas border counties to enter into a similar mutual-aid agreement as described
31 under this section, then the director shall execute and deliver to the governor, the speaker of the
32 house of representatives, and the president pro tempore of the senate a written certification of such
33 determination. Upon the execution and delivery of such written certification and the parties
34 receiving such certification providing a unanimous written affirmation, the provisions of this section
35 shall be effective unless otherwise provided by law.

36 7. If the director of the Missouri department of public safety determines that the state of

Action Taken _____ Date _____

1 Oklahoma has enacted legislation or the governor of Oklahoma has issued an executive order or
2 similar action that permits Oklahoma border counties to enter into a similar mutual-aid agreement as
3 described under this section, then the director shall execute and deliver to the governor, the speaker
4 of the house of representatives, and the president pro tempore of the senate a written certification of
5 such determination. Upon the execution and delivery of such written certification and the parties
6 receiving such certification providing a unanimous written affirmation, the provisions of this section
7 shall be effective unless otherwise provided by law.

8 8. The director of the Missouri department of public safety shall notify the revisor of
9 statutes of any changes that would render the provisions of this section effective."; and

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11 Further amend said bill by amending the title, enacting clause, and intersectional references
12 accordingly.