

## HOUSE BILL No. 2461

By Representative Edwards

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1 AN ACT concerning the national defense authorization act for fiscal year  
2 2012; relating to governmental entity actions pursuant thereto.

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

5 Section 1. (a) Subject to subsection (b), notwithstanding any  
6 provision of law to the contrary, no state agency, political subdivision, or  
7 employee of any state agency or political subdivision acting in such  
8 employee's official capacity, nor any member of the Kansas national guard  
9 on official state duty shall aid an agency of the armed forces of the United  
10 States in any investigation, prosecution or detention of any person  
11 pursuant to section 2021 of the national defense authorization act for fiscal  
12 year 2012, if such aid would place such state agency, political subdivision,  
13 employee or member of the Kansas national guard in violation of the  
14 United States constitution, the Kansas constitution or any law of this state.

15 (b) Subsection (a) shall not apply to participation by state or local law  
16 enforcement agencies or the Kansas national guard in a joint task force,  
17 partnership or other similar cooperative agreement with any federal law  
18 enforcement agency if such joint task force, partnership or similar  
19 cooperative agreement is not for the purpose of investigating, prosecuting  
20 or detaining any person pursuant to section 2021 of the national defense  
21 authorization act for fiscal year 2012.

22 (c) For the purposes of this section:

23 (1) "Political subdivision" means political or taxing subdivisions of  
24 the state, including boards, commissions, authorities, councils,  
25 committees, subcommittees and other subordinate groups or administrative  
26 units thereof, receiving or expending and supported in whole or in part by  
27 public funds.

28 (2) "State agency" means any state office or officer, department,  
29 board, commission, institution, bureau or any agency, division or unit  
30 within any office, department, board, commission or other state authority.

31 Sec. 2. This act shall take effect and be in force from and after its  
32 publication in the statute book.