

SECOND REGULAR SESSION

# HOUSE BILL NO. 1859

102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE REUTER.

4582H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To amend chapter 44, RSMo, by adding thereto one new section relating to law enforcement assistance from other jurisdictions.

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*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 44.087, to read as follows:

**44.087. 1. The chief law enforcement executive for any law enforcement agency,  
2 or such executive's designee, may request assistance from a law enforcement agency of  
3 another jurisdiction, including a jurisdiction outside the state of Missouri but within the  
4 United States.**

**5 2. If a law enforcement officer makes an arrest or apprehension outside such  
6 officer's jurisdiction, the offender shall be delivered to the first available law  
7 enforcement officer who is commissioned in the jurisdiction in which the arrest was  
8 made. The officer making the initial arrest or apprehension shall assist in the  
9 preparation of any affidavits filed with the complaint or based on other evidence that  
10 there is probable cause to believe that both a crime has been committed and the  
11 defendant has committed such crime.**

**12 3. For the purpose of liability, workers' compensation, and any other  
13 employment-related matter, law enforcement officers remain employees of their  
14 respective law enforcement agency throughout any request for assistance. Qualified  
15 immunity, sovereign immunity, official immunity, and the public duty rule shall apply to  
16 the provisions of this section as interpreted by the federal and state courts of the  
17 responding agency.**

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.

18           **4. Nothing in this section shall be construed to limit the actions of law**  
19 **enforcement officers or agencies conducted in accordance with section 44.095 or 44.098,**  
20 **or any other mutual aid agreement made under this chapter.**

21           **5. The provisions of chapter 544 are applicable to any law enforcement officers**  
22 **from jurisdictions located outside the state of Missouri, but within the United States,**  
23 **who are acting pursuant to a request made under this section.**

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