

2020 -- H 7632

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

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A N A C T

RELATING TO TOWNS AND CITIES -- EMERGENCY POLICE POWER

Introduced By: Representatives Jacquard, Almeida, Johnston, Hull, and Noret

Date Introduced: February 14, 2020

Referred To: House Judiciary

(University of Rhode Island)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 45-42-2 of the General Laws in Chapter 45-42 entitled "Emergency  
2 Police Power" is hereby amended to read as follows:

3 **45-42-2. Nonemergency police power.**

4 (a) Notwithstanding any law to the contrary, and consistent with the provisions of chapter  
5 40.1 of this title entitled "Interlocal Contracting and Joint Enterprises", ~~where the territories of one~~  
6 ~~city or town lies adjacent to another city or town,~~ the chiefs of police of ~~the adjacent~~ any city or  
7 town or any police department of a higher education institution may enter into an agreement, which  
8 is subject to approval by ~~each~~ the appropriate city or town council by adoption of a resolution in  
9 support of it, and approval by the president of the higher education institution, by which the chief  
10 may request that the other city, ~~or~~ town, or higher education institution police force provide  
11 assistance in a nonemergency situation for all those police services prescribed by law within any  
12 portion of the jurisdiction of the city or town or campus of the chief granting the authority.

13 (b) The officers responding to the request and agreement shall have the same authority,  
14 powers, duties, privileges and immunities for jurisdictional purposes as a duly appointed police  
15 officer of the city, ~~or~~ town, or higher education institution making the request.

16 (c) All wage and disability payments, pension, workers' compensation claims, medical  
17 expenses or other employment benefits will be the responsibility of the employing agency, unless  
18 the requesting agency is reimbursed for those costs from any other source. Each agency shall be  
19 responsible for the negligence of its employees to the extent specified by law.

1           (d) A copy of any agreement entered into pursuant to this section shall be provided to the  
2 superintendent of the Rhode Island state police.

3           (e) The governor shall have the authority to suspend an agreement entered into pursuant to  
4 this section upon a finding that the suspension is in the interest of public safety.

5           SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act would permit all Rhode Island police departments including police departments of  
2 higher education institutions to enter into non-emergency mutual aid agreements regardless of any  
3 geographical boundary.

4           This act would take effect upon passage.

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