

SENATE BILL NO. 92

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR NURRENBERN.

1194S.01H

KRISTINA MARTIN, Secretary

AN ACT

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

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

Section A. Chapter 44, RSMo, is amended by adding thereto
2 one new section, to be known as section 44.087, to read as
3 follows:

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

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

16 3. For the purpose of liability, workers'
17 compensation, and any other employment-related matter, law
18 enforcement officers remain employees of their respective

19 law enforcement agency throughout any request for
20 assistance. Qualified immunity, sovereign immunity,
21 official immunity, and the public duty rule shall apply to
22 the provisions of this section as interpreted by the federal
23 and state courts of the responding agency.

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

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

✓