

AN ACT

ENTITLED, An Act to provide for interstate joint power agreements for the exercise of police powers.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That chapter 1-24 be amended by adding thereto a NEW SECTION to read as follows:

Any two or more public agencies with law enforcement powers may enter into reciprocal interstate agreements to allow their respective certified law enforcement officers to cross state lines to provide assistance to the requesting agency.

Section 2. That chapter 1-24 be amended by adding thereto a NEW SECTION to read as follows:

Any certified law enforcement officer acting under a reciprocal interstate law enforcement agreement shall be treated as a law enforcement officer of the requesting agency for liability purposes while in its jurisdiction and shall have the same authority as any other certified law enforcement officer of the requesting agency. A certified law enforcement officer is any employee of the public agency who is certified as a law enforcement officer under its state laws and is responsible for the prevention and detection of crime and the enforcement of criminal or traffic laws in their respective jurisdictions.

Section 3. That chapter 1-24 be amended by adding thereto a NEW SECTION to read as follows:

In addition to the other requirements in chapter 1-24, the parties to an interstate law enforcement agreement shall agree to the following:

- (1) That all law enforcement officers subject to the agreement shall be trained and certified as law enforcement officers in accordance with the laws of the state where such officers are employed, and if so trained and certified shall have the authority to act as a law enforcement officer within the jurisdiction of the requesting agency while responding to the request; and
- (2) Any law enforcement officer responding to a request shall be treated as a law enforcement

officer of the requesting agency for liability purposes while in its jurisdiction, and the requesting agency shall obtain and maintain liability coverage for those certified law enforcement officers responding to requests.

Section 4. That chapter 1-24 be amended by adding thereto a NEW SECTION to read as follows:

All reciprocal interstate law enforcement agreements must be approved by the Governor.

An Act to provide for interstate joint power agreements for the exercise of police powers.

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I certify that the attached Act
originated in the

SENATE as Bill No. 102

Secretary of the Senate

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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 102
File No. _____
Chapter No. _____

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Received at this Executive Office
this ____ day of _____ ,

19__ at ____ M.

By _____
for the Governor

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The attached Act is hereby
approved this _____ day of
_____, A.D., 19__

Governor

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STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 19__
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State