

SENATE FILE NO. SF0067

Peace officers-extraterritorial authority.

Sponsored by: Senator(s) Larson and Roberts and
Representative(s) Jorgensen and Law

A BILL

for

1 AN ACT relating to peace officers; amending the
2 extraterritorial authority of peace officers as specified;
3 providing for immunity; apportioning compensation and costs
4 as specified; and providing for an effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 **Section 1.** W.S. 7-2-106(a), by creating a new
9 subsection (b) and by amending and renumbering (b) as (c)
10 and 18-3-602 by creating new subsections (f) and (g) are
11 amended to read:

12

13 **7-2-106. Requests for temporary assignment of peace**
14 **officers; extraterritorial authority of peace officers;**
15 **liability; compensation.**

16

1 (a) The chief of police of any municipality, or the
2 sheriff of any county, subject to rules and procedures
3 established by the governing body of any municipality or
4 county, may request the chief of police of any other
5 municipality, or the sheriff of any other county to assign
6 certified peace officers under their respective command to
7 perform ~~temporary~~ law enforcement duties ~~relating to a~~
8 ~~specific incident~~ within the jurisdiction of the requesting
9 chief of police or sheriff and under the direction and
10 control of the requesting chief or sheriff. Peace
11 officers, while so assigned and performing duties, are
12 subject to the direction and control of the requesting
13 chief or sheriff and shall have full peace officer's
14 authority within the requesting agency's jurisdiction
15 during the ~~temporary~~ assignment.

16
17 (b) Peace officers employed by a municipality
18 appointed and acting under subsection (a) of this section
19 or when engaged in fresh pursuit may exercise all statutory
20 powers as peace officers. As used in this section, "fresh
21 pursuit" means pursuit without unnecessary delay of a
22 person whom the peace officer reasonably suspects of having
23 committed within the municipal officer's jurisdiction a

1 violation of a municipal ordinance or state statute,
2 including traffic infractions.

3
4 ~~(b)~~ (c) A peace officer designated in subsection (a)
5 or (b) of this section who makes an arrest or issues a
6 citation pursuant to this section outside his own
7 jurisdiction shall be deemed to be acting within the scope
8 of his duties for purposes of the Wyoming Governmental
9 Claims Act and the state self-insurance program, W.S.
10 1-41-101 through 1-41-111. All privileges and immunities
11 from liability, and all pension, disability, worker's
12 compensation and other benefits which normally apply to
13 peace officers while they perform their duties in their own
14 jurisdiction shall also apply to them when acting as
15 provided in subsection (a) of this section. For purposes of
16 W.S. 27-14-104, the requesting and assigning law
17 enforcement agencies shall be a joint employer as defined
18 under W.S. 27-14-102(a)(xix) and the designated peace
19 officer shall be a joint employee as defined under W.S.
20 27-14-102(a)(xxi). The cost of salary and benefits accruing
21 to a peace officer, while performing duties at the request
22 of another law enforcement jurisdiction, shall be borne by
23 the individual peace officer's own employing agency. The
24 cost of any damage to equipment belonging to the officer or

1 his employer occurring while acting under the provisions of
2 this section shall be borne by the requesting law
3 enforcement agency.

4
5 **18-3-602. Qualifications, appointment, duties and**
6 **salary of undersheriff; deputies, clerks, stenographers and**
7 **assistants; appointment of deputies for special acts;**
8 **appointment of deputies by county commissioners.**

9
10 (f) Each county sheriff may also appoint as deputies
11 any other peace officers as defined in W.S.
12 7-2-101(a)(iv)(A) through (J) for the purpose of countywide
13 law enforcement. Appointments under this section shall not
14 be required to be filed or revoked as in the case of
15 regular deputies.

16
17 (g) A Wyoming peace officer designated in subsection
18 (f) of this section who makes an arrest or issues a
19 citation pursuant to this section outside his own
20 jurisdiction shall be deemed to be acting within the scope
21 of his duties for purposes of the Wyoming Governmental
22 Claims Act and the state self-insurance program, W.S.
23 1-41-101 through 1-41-111. All privileges and immunities
24 from liability, and all pension, disability, workers'

1 compensation and other benefits which normally apply to
2 peace officers while they perform their duties within their
3 own jurisdiction shall also apply to them when acting as
4 provided in subsection (c) of this section. For purposes
5 of W.S. 27-14-104, the requesting and assigning law
6 enforcement agency shall be a joint employer as defined
7 under W.S. 27-14-102(a)(xix) and the designated peace
8 officer shall be a joint employee as defined in W.S.
9 27-14-102(a)(xxi). The cost of salary and benefits
10 accruing to a peace officer, while performing duties at the
11 request of another law enforcement jurisdiction, shall be
12 borne by the peace officer's own employing agency. The
13 cost of any damage to equipment belonging to the officer or
14 his employer occurring while acting under the provisions of
15 this section shall be borne by the requesting law
16 enforcement agency.

17

18 **Section 2.** This act is effective immediately upon
19 completion of all acts necessary for a bill to become law
20 as provided by Article 4, Section 8 of the Wyoming
21 Constitution.

22

23

(END)