

SENATE FILE NO. SF0109

State parks-temporary peace officers.

Sponsored by: Senator(s) Meier, Bebout, Perkins and Von
Flatern and Representative(s) Blake and
Jaggi

A BILL

for

1 AN ACT relating to peace officers; providing for the
2 department of state parks and cultural resources to enter
3 into memoranda of understanding to temporarily hire peace
4 officers of other agencies and governmental entities; and
5 providing for an effective date.

6

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

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9 **Section 1.** W.S. 7-2-101(a)(iv)(H) and 7-2-106(c),
10 (e)(i) and by creating a new subsection (f) are amended to
11 read:

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13 **7-2-101. Definitions.**

14

15 (a) As used in W.S. 7-2-101 through 7-2-107:

16

1 (iv) "Peace officer" means:

2

3 (H) Any duly authorized detention officer
4 in the performance of his duties or while acting under a
5 memorandum of understanding as provided in W.S. 7-2-106(f),
6 and who has qualified pursuant to W.S. 9-1-701 through
7 9-1-707;

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9 7-2-106. Extraterritorial authority of peace
10 officers; requests for assignment of peace officers;
11 liability; compensation.

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13 (c) A peace officer acting pursuant to subsection
14 (a) , or (b) or (f) of this section outside his own
15 jurisdiction shall be deemed to be acting within the scope
16 of his duties for purposes of the Wyoming Governmental
17 Claims Act and the state self-insurance program, W.S.
18 1-41-101 through 1-41-111, or the local government self-
19 insurance program, W.S. 1-42-201 through 1-42-206. All
20 privileges and immunities from liability, and all pension,
21 disability, worker's compensation and other benefits which
22 normally apply to peace officers while they perform their
23 duties in their own jurisdiction shall also apply to them
24 when acting as provided in subsection (a) , or (b) or (f) of

1 this section. For purposes of W.S. 27-14-104, the
2 requesting and assigning law enforcement agencies shall be
3 a joint employer as defined under W.S. 27-14-102(a)(xix)
4 and the designated peace officer shall be a joint employee
5 as defined under W.S. 27-14-102(a)(xxi).

6
7 (e) Nothing in this section shall be construed to
8 authorize a peace officer:

9
10 (i) As defined in W.S. 7-2-101(a)(iv)(F), ~~(H)~~ or
11 (J) to act pursuant to subsection (a) ~~, or~~ (b) or (f) of
12 this section; or

13
14 (f) Subject to the limitations in subsection (e) of
15 this section, the department of state parks and cultural
16 resources may request any other agency or governing body
17 employing peace officers to assign certified peace officers
18 under their respective command to perform law enforcement
19 duties within the jurisdiction of the department of state
20 parks and cultural resources. Peace officers, while so
21 assigned and performing duties, are subject to the
22 direction and control of the department of state parks and
23 cultural resources and shall have full peace officer
24 authority within the department's jurisdiction during the

1 assignment. The assignments under this subsection shall be
2 restricted to the terms of a written memorandum of
3 understanding entered into in advance by the department and
4 each participating agency employing peace officers. The
5 memorandum of understanding shall, at minimum, specify:

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7 (i) The length of term of the assignment;

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9 (ii) The certified peace officers covered by the
10 assignment;

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12 (iii) A general description of the geographical
13 boundaries of territory covered by the assignment;

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15 (iv) The responsibilities of the department and
16 each participating law enforcement agency for costs and
17 expenses related to the assignments, including the cost of
18 all wages, salaries, benefits and damage to equipment
19 belonging to an officer or his employer while acting under
20 the provisions of this subsection.

21

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

5

6

(END)