

A-Engrossed
House Bill 2274

Ordered by the House March 15
Including House Amendments dated March 15

Sponsored by Representative GARRARD (at the request of Merrill, Oregon, Police Chief) (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Permits certified peace officers from states adjoining Oregon to provide or attempt to provide law enforcement services within Oregon under certain conditions. **Applies only in absence of mutual aid agreement.**

A BILL FOR AN ACT

1
2 Relating to certified peace officers.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) As used in this section and section 2 of this 2011 Act:**

5 (a) **"Adjoining state" means California, Idaho, Nevada or Washington.**

6 (b) **"Certified peace officer" means a regularly employed peace officer or police officer**
7 **from an adjoining state, including a peace officer or police officer employed by a local gov-**
8 **ernment of an adjoining state.**

9 (c) **"Employing agency" means a state or local government that employs a certified peace**
10 **officer.**

11 (2) **A certified peace officer is a peace officer and a police officer in this state if the**
12 **certified peace officer is providing, or attempting to provide, law enforcement services de-**
13 **scribed in subsection (3) of this section within this state at a distance of up to 50 statute**
14 **miles from the contiguous border of this state and the adjoining state where the certified**
15 **peace officer is employed.**

16 (3) **Subsection (2) of this section applies when the certified peace officer is providing, or**
17 **attempting to provide, law enforcement services:**

18 (a) **In response to a request for services initiated by a certified peace officer.**

19 (b) **In response to a reasonable belief that emergency law enforcement services are nec-**
20 **essary for the preservation of life, and a request for services by a certified peace officer is**
21 **impractical to obtain under the circumstances. In those situations, the certified peace officer**
22 **shall obtain authorization as soon as practical.**

23 (c) **For the purpose of assisting a certified peace officer to provide emergency service in**
24 **response to criminal activity, traffic accidents, emergency incidents or other similar public**
25 **safety problems, whether or not a certified peace officer is present at the scene of the event.**

26 (4) **This section does not confer upon a certified peace officer the authority to enforce**
27 **traffic or motor vehicle laws in Oregon.**

28 **SECTION 2. (1) A certified peace officer and employing agency are subject to the same**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 **civil immunities and liabilities as a peace officer and the peace officer's employing agency in**
2 **Oregon.**

3 **(2) The certified peace officer may not receive separate compensation from Oregon for**
4 **providing law enforcement services within this state.**

5 **(3) Notwithstanding any other provision of law, any person who is acting as a certified**
6 **peace officer in this state in the manner described in section 1 of this 2011 Act is deemed to**
7 **have met the requirements of ORS 133.005 if the certified peace officer has completed the**
8 **basic training required for peace officers in the certified peace officer's state.**

9 **SECTION 3. Sections 1 and 2 of this 2011 Act do not limit the authority of an officer of**
10 **another state to make an arrest or take other action under ORS 133.410 to 133.440. Sections**
11 **1 and 2 of this 2011 Act apply only in the absence of a mutual aid agreement between the**
12 **State of Oregon and an adjoining state or between local governments of this state and of**
13 **adjoining states, or any combination thereof, to which the employing agency is a party.**

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