

Following to the date of 3/2/90 to Pass 3/5

FILE *MARCH 1990*

SENATE FILE 2156
BY WELSH

Passed Senate, Date 2/12/90 (473) Passed House, Date 3/1/90 (724)
Vote: Ayes 42 Nays 0 Vote: Ayes 52 Nays 1
Approved March 19, 1990 (S. 1155)
M.L. to amend the (S. 1155) with 3/1/90

A BILL FOR

1 An Act giving federal law enforcement officials peace officer
2 status in certain instances.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2156

2156

1 Section 1. NEW SECTION. 804.7A ARRESTS BY FEDERAL LAW
2 ENFORCEMENT OFFICERS.

3 1. For purposes of this section, "federal law enforcement
4 officer" means a person employed full time by the United
5 States government who is empowered to effect an arrest with or
6 without a warrant for a violation of the United States Code
7 and who is authorized to carry a firearm in the performance of
8 the person's duties as a federal law enforcement officer.

9 2. A federal law enforcement officer has the same
10 authority, as provided in section 804.7, subsection 3, and has
11 the same immunity from suit in this state as a peace officer,
12 as defined in section 801.4, subsection 7, when making an
13 arrest in this state for a nonfederal crime if either of the
14 following exists:

15 a. The federal law enforcement officer has reasonable
16 grounds for believing that an indictable public offense has
17 been committed and has reasonable grounds for believing that
18 the person to be arrested has committed it.

19 b. The federal law enforcement officer is rendering
20 assistance to a peace officer of this state in an emergency or
21 at the request of the peace officer.

22 EXPLANATION

23 This bill provides that a federal law enforcement official
24 has the same authority and immunity from suit as any peace
25 officer of this state when making an arrest if the federal
26 officer has reasonable grounds for believing an indictable
27 offense has been committed and the person to be arrested
28 committed the offense, or the federal officer is rendering
29 assistance to a peace officer of this state.

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b. The federal law enforcement officer is rendering assistance to a peace officer of this state in an emergency or at the request of the peace officer.

SENATE FILE 2156

AN ACT
GIVING FEDERAL LAW ENFORCEMENT OFFICIALS PEACE OFFICER STATUS
IN CERTAIN INSTANCES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. NEW SECTION. 804.7A ARRESTS BY FEDERAL LAW ENFORCEMENT OFFICERS.

1. For purposes of this section, "federal law enforcement officer" means a person employed full time by the United States government who is empowered to effect an arrest with or without a warrant for a violation of the United States Code and who is authorized to carry a firearm in the performance of the person's duties as a federal law enforcement officer.

2. A federal law enforcement officer has the same authority, as provided in section 804.7, subsection 3, and has the same immunity from suit in this state as a peace officer, as defined in section 801.4, subsection 7, when making an arrest in this state for a nonfederal crime if either of the following exists:

a. The federal law enforcement officer has reasonable grounds for believing that an indictable public offense has been committed and has reasonable grounds for believing that the person to be arrested has committed it.

JO ANN ZIMMERMAN
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2156, Seventy-third General Assembly.

JOHN F. DWYER
Secretary of the Senate
Approved *March 19*, 1990

TERRY E. BRANSTAD
Governor

SF 2156