

REFERENCES FROM AG MEMO TO PROSECUTORS AND LAW ENFORCEMENT March 24, 2020

AG Opinions

[81-130](#) (Power granted to the governor is defined by statute while powers of local officials are those contained in the applicable disaster emergency plans)

[81-193](#) (Sheriffs and other official to comply with governor's directive during state of disaster emergency)

[84-78](#) (Local disaster declaration cannot suspend regulatory statutes as governor can.)

[85-85](#) (Sheriff required to in carrying out local emergency plans; the local disaster agency has the authority to require, and indeed, must rely on the services of local law officials-including the sheriff- in planning to meet the demands of a disaster.)

Statutes

K.S.A. [22-2401](#) Arrest by LEO

K.S.A. [48-904](#) Emergency preparedness for disasters; Definitions

K.S.A. [48-923](#) Emergency preparedness for disasters; Kansas emergency management act; Limitations on effect

K.S.A. [48-924](#) Emergency preparedness for disasters; Kansas emergency management act; Disasters; responsibilities of governor; state of disaster emergency

K.S.A. [48-925](#) Emergency preparedness for disasters; State disaster emergency act; Powers of governor during state of disaster emergency; orders and proclamations, administered by adjutant general

K.S.A. [48-926](#) Emergency preparedness for disasters; State disaster emergency plan; rules and regulations

K.S.A. [48-931](#) Emergency preparedness for disasters; State disaster emergency plan; Development and revision of state, local and interjurisdictional disaster plans; advice and assistance of local government, business and civic leaders

K.S.A. [48-932](#) Emergency preparedness for disasters; State disaster emergency plan; States of local disaster emergency; effect; powers and duties of county and city officials

K.S.A. [48-934](#) Emergency preparedness for disasters; State disaster emergency plan; Duties and immunities of law enforcement, military and other authorized personnel

K.S.A. [48-935](#) Emergency preparedness for disasters; State disaster emergency plan; Force and effect of municipal ordinances during disaster emergencies

K.S.A. [48-939](#) Emergency preparedness for disasters; State disaster emergency plan; Penalty for violation of act or rules and regulations, orders or proclamations thereunder

- K.S.A. [50-1206](#) Unfair Trade and Consumer Protection; Certain federal laws made inapplicable; prohibition against enforcement
- K.S.A. [65-127](#) Public Health; Infectious and Contagious Diseases; Penalties [Not specifically mentioned in memo] This contains penalties potentially for some orders of the local health officer as allowed in K.S.A. [65-119](#).
- K.S.A. [65-129](#) Public Health; Secretary of Health and Environment, Activities; Penalties for unlawful acts
- K.S.A. [65-129b](#) Public Health; Secretary of Health and Environment, Activities; Infections or contagious diseases; authority of local health officer or secretary; evaluation or treatment orders, isolation or quarantine orders; enforcement
- K.S.A. [75-430](#) Secretary of State; Kansas register; compilation, indexing and publication by secretary of state; publications to be included; publication intervals; inclusion of materials by reference; disposition and sale of copies
- K.S.A. [75-704](#) Attorney General; Aid to county attorney; opinions

Most of the above statutes are also available at: <http://kansasleo.com/statutes.htm>