

Workers? Benefits: Law Enforcement Responding to Mutual Aid Request

S.D. Codified Laws 34-48-12

A law enforcement officer who responds to a request for aid within South Dakota is entitled to the same workers? compensation, wage, salary, pension, and other service rights as they would have received in their home jurisdiction.

Law enforcement officer performing duty outside territorial limits of employing public agency entitled to same service rights ? Certain expenses to be paid by deploying agency or town ? Reimbursement by requesting agency ?

Exceptions to application

Any law enforcement officer who is ordered by the deploying agency or who responds to the request of the authorities of another public agency to perform law enforcement duties outside territorial limits of the public agency where the officer is employed, is entitled to the same wage, salary, pension, worker?s compensation, and all other service rights for this service as for service rendered within the limits of the public agency where the law enforcement officer is regularly employed. All wage and disability payments, pension and worker?s compensation claims, damage to equipment and clothing, and medical expense arising from such service to the requesting agency shall be paid by the public agency or town regularly employing the law enforcement officer.

A deploying public agency that provides law enforcement assistance and requests reimbursement shall be reimbursed by the requesting agency for actual expenses incurred by the deploying agency, which shall include wages and salary, employee benefits such as disability and pension, fuel and oil, incidental repairs, room and board, equipment, clothing and supplies, and the cost of workers? compensation insurance premiums at the time of

employment.

This section does not apply to any law enforcement officer or other employee of a state agency of the State of South Dakota, an agency of the United States, or a tribal government.