

1 **of parole or probation; limitations.**

2 (a) Whenever any law-enforcement officer of this state
3 encounters any person under circumstances which reasonably indicate
4 that the person has committed, is committing, or is about to commit
5 a violation of the criminal laws of this state or the criminal
6 ordinances of any municipality, the officer may temporarily detain
7 the person for the purpose of ascertaining the identity of the
8 person temporarily detained and the circumstances surrounding the
9 person's presence in the place which led the officer to believe
10 that the person had committed, was committing, or was about to
11 commit a criminal offense.

12 (b) No person may be temporarily detained under subsection (a)
13 of this section longer than is reasonably necessary to effect the
14 purposes of that subsection. The temporary detention may not extend
15 beyond the place where it was first effected or the immediate
16 vicinity thereof and no detention undertaken pursuant to subsection
17 (a) of this section may last more than six hours.

18 (c) If at any time after the onset of the temporary detention
19 authorized by subsection (a) of this section, probable cause for
20 arrest of person appears, the person shall be arrested. If, after
21 an inquiry into the circumstances which prompted the temporary
22 detention, no probable cause for the arrest of the person appears,
23 the person shall be released.

1 (d) Whenever any law-enforcement officer authorized to detain
2 temporarily any person under the provisions of subsection (a) of
3 this section has probable cause to believe that any person whom the
4 officer has temporarily detained, or is about to detain
5 temporarily, is armed with a dangerous weapon and therefore offers
6 a threat to the safety of the officer or any other person, the
7 officer may search the person so temporarily detained only to the
8 extent necessary to disclose, and for the purpose of disclosing,
9 the presence of such weapon. If the search discloses a weapon or
10 any evidence of a criminal offense, it may be seized.

11 (e) No evidence seized by a law-enforcement officer in any
12 search under this section is admissible against any person in any
13 court of this state or political subdivision thereof unless the
14 search which disclosed its existence was authorized by and
15 conducted in compliance with of this section.

NOTE: The purpose of this bill is to allow the temporary detention up to a maximum of six hours of criminal suspects by law-enforcement officers to inquire on the commission of a crime where probable cause appears to exist.

This section is new; therefore, strike-throughs and underscoring have been omitted.