

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Representative Beatty**

A Bill

ACT 556 OF 1995
HOUSE BILL 1574

For An Act To Be Entitled

8 "AN ACT TO AMEND ARK. CODE ANN. § 16-94-214 REGARDING
9 ARREST WITHOUT WARRANT."

Subtitle

12 "PRESIGNED WAIVER OF EXTRADITION."

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

16 SECTION 1. Arkansas Code Annotated § 16-94-214 is hereby amended to
17 read as follows:

18 "(a) The arrest of a person may be lawfully made also by an officer or
19 a private citizen without a warrant upon reasonable information that the
20 accused stands charged in the courts of another state with a crime punishable
21 by death or imprisonment for a term exceeding one (1) year; but when so
22 arrested the accused must be taken before a judge or magistrate with all
23 practicable speed and complaint must be made against him under oath setting
24 forth the ground for the arrest as in the last section; and thereafter his
25 answer shall be heard as if he had been arrested on a warrant.

26 (b) Notwithstanding any other law to the contrary, a law enforcement
27 officer shall deliver a person in custody to the accredited agent or agents of
28 a demanding state without the governor_s warrant provided that:

29 (1) Such person is alleged to have broken the terms of his
30 probation, parole, bail or any other release of the demanding state; and

31 (2) The law enforcement agency has received from the demanding
32 state an authenticated copy of a prior waiver of extradition signed by such
33 person as a term of his probation, parole, bail or any other release of the
34 demanding state. The copy shall contain photographs, fingerprints or other
35 evidence properly identifying such person as the person who signed the
36 waiver."

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SECTION 2. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 4. All laws and parts of laws in conflict with this act are hereby repealed.

APPROVED: 3-8-95

