

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representative Mahony**

A Bill

HOUSE BILL

For An Act To Be Entitled

8 "AN ACT TO ALLOW PUBLIC SAFETY OFFICERS TO USE REASONABLE
9 AND NECESSARY MEANS TO ENTER A DWELLING IN RESPONSE TO AN
10 911 EMERGENCY CALL WHEN THEY HAVE REASON TO BELIEVE THERE
11 IS A CLEAR THREAT TO THE HEALTH OF ANY PERSON; AND FOR
12 OTHER PURPOSES."

Subtitle

14 "TO ALLOW PUBLIC SAFETY OFFICERS TO USE REASONABLE MEANS
15 TO ENTER A DWELLING IN RESPONSE TO ANY 911 CALL WHEN THERE
16 IS A CLEAR THREAT TO A PERSON_S HEALTH."
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. When responding to a 911 emergency call received at a public
22 safety answering point (PSAP), public safety officers of public safety
23 agencies as defined under the "Arkansas Public Safety Communications Act of
24 1985", Arkansas Code Annotated §12-10-301 through §12-10-323, may use
25 reasonable and necessary means to enter any dwelling, dwelling unit, or other
26 structure without the express permission of the owner, when the dwelling or
27 structure is believed to be the geographical location of the telephone used to
28 place the 911 emergency call as determined by an automatic locator or number
29 identifier, but only after reasonable efforts have been made to arouse and
30 alert any inhabitants or occupants of their presence and the officers have
31 reason to believe that circumstances exist which pose a clear threat to the
32 health of any person or they have reason to believe there may be a person in
33 need of emergency medical attention present in the dwelling or structure who
34 is unable to respond to their efforts.

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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.

