

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

A Bill

ACT 719 OF 1995
SENATE BILL 641

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 16-81-106 TO
9 AUTHORIZE LAW ENFORCEMENT OFFICIALS OF THE STATE OF
10 ARKANSAS TO ACT, IN LIMITED INSTANCES, AS LAW ENFORCEMENT
11 OFFICERS IN THE STATE OF TEXAS; AND FOR OTHER PURPOSES."

Subtitle

14 "TO AMEND ARKANSAS CODE ANNOTATED
15 § 16-81-106"

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

19 SECTION 1. Arkansas Code Annotated § 16-81-106 is amended by adding the
20 following new subsection:

21 "(h) Pursuant to Article 1.124 of the Texas Code of Criminal Procedure,
22 any certified law enforcement officer of the State of Arkansas or law
23 enforcement officer as is specified in subsection (g) of this section shall be
24 authorized to act as a law enforcement officer in the State of Texas with the
25 same power, duties, and immunities of a peace officer of the State of Texas
26 who is acting in the discharge of an official duty:

27 (1) During a time in which:

28 (A) The law enforcement officer from the State of Arkansas
29 is transporting an inmate or criminal defendant from a county in Arkansas that
30 is on the border of Texas to a hospital or other medical facility in a county
31 in Texas that is on the border between the two states. Transportation to such
32 a facility shall be for purposes including, but not limited to, evidentiary
33 testing of said inmate or defendant as is authorized pursuant to laws of the
34 State of Arkansas or medical treatment; or

35 (B) The law enforcement officer from the State of Arkansas
36 is returning the inmate or defendant from the hospital or facility in Texas to

1 an adjoining county in Arkansas; and

2 (2) To the extent necessary to:

3 (A) Maintain custody of the inmate or defendant while
4 transporting the inmate or defendant; or

5 (B) Retain custody of the inmate or defendant if the inmate
6 or defendant escapes while being transported."

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

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

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

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21 APPROVED: 3-21-95

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