

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997  
4

As Engrossed: H2/12/97

# A Bill

ACT 358 OF 1997  
HOUSE BILL 1527

5 *By: Representatives Schexnayder, Goodwin, Kidd, Bond, and D. Hudson*  
6 *By: Senator Argue*  
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8

## For An Act To Be Entitled

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10 "AN ACT TO AMEND ARKANSAS CODE § 13-2-805 TO AUTHORIZE  
11 LIBRARIES TO ESTABLISH POLICIES REQUIRING PERSONS ENTERING  
12 AND EXITING THE LIBRARIES TO OPEN AND DISCLOSE THE  
13 CONTENTS OF ANY BAGS OR BRIEFCASES BEING CARRIED INTO THE  
14 PREMISES; AND FOR OTHER PURPOSES."

## Subtitle

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17 "TO AUTHORIZE LIBRARIES TO ESTABLISH  
18 POLICIES REQUIRING PERSONS ENTERING THE  
19 LIBRARIES TO OPEN AND DISCLOSE THE  
20 CONTENTS OF ANY BAGS OR BRIEFCASES."  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. Arkansas Code § 13-2-805 is amended to read as follows:

25 "13-2-805. Reasonable detention and questioning to determine whether  
26 offense was committed.

27 (a) If a person employed by a library or a person charged with the  
28 supervision thereof with reason to believe that a person has committed or has  
29 attempted to commit any offense under this subchapter or that the person has  
30 concealed any library material upon his person or within his belongings, then  
31 the person may be detained and questioned in a reasonable manner for the  
32 purpose of ascertaining whether or not an offense has been committed.

33 (b) The detention and questioning shall not render such employee  
34 civilly liable for slander, false arrest, false imprisonment, malicious  
35 prosecution, unlawful detention, or otherwise, if the library employee or  
36 person charged with the supervision of the library acts in good faith and in a  
37 reasonable manner.

1           (c) For the purpose of ascertaining whether or not an offense has been  
2 committed, libraries, museums, archives, and other depositories may establish  
3 policies that require persons entering and exiting the premises wherein  
4 library materials are maintained to open and disclose the contents of any  
5 bags, purses, briefcases, and other containers which are being carried by or  
6 are in the possession of the persons."

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8           SECTION 2. All provisions of this act of 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 provisions of this act or the application thereof to  
13 any person or circumstance is held invalid, the invalidity shall not affect  
14 other provisions or applications of the act which can be given effect without  
15 the invalid provisions 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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*/s/Rep. Schexnayder et al*

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APPROVED:3-05-97

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