1 State of Arkansas   *As Engrossed: S3/27/01*   **Act 1421 of 2001**

2 83rd General Assembly   # A Bill

3 Regular Session, 2001   HOUSE BILL 1716

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5 By: Representative Hendren

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8 ## For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE 16-81-113 TO

10 INCREASE THE NUMBER OF HOURS TO TWELVE THAT A LAW

11 ENFORCEMENT OFFICER MAY MAKE A WARRANTLESS ARREST

12 FOR DOMESTIC ABUSE *INVOLVING PHYSICAL ABUSE*; AND

13 FOR OTHER PURPOSES.

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15 ## Subtitle

16 AN ACT TO AMEND ARKANSAS CODE 16-81-113

17 TO INCREASE THE NUMBER OF HOURS TO

18 TWELVE THAT A LAW ENFORCEMENT OFFICER

19 MAY MAKE A WARRANTLESS ARREST FOR

20 DOMESTIC ABUSE *INVOLVING PHYSICAL*

21 *INJURY.*

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

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26   SECTION 1. Arkansas Code 16-81-113(a), concerning warrantless arrests

27 for domestic abuse, are amended to read as follows:

28   (a)(1) When a law enforcement officer has probable cause to believe a

29 person has committed acts which constitute a crime under the laws of this

30 state and which constitute domestic abuse as defined herein against a family

31 or household member, the officer may arrest the person without a warrant if

32 the law enforcement officer has probable cause to believe the person, within

33 *the preceding four (4) hours,* twelve (12) hours for cases involving physical

34 injury, as defined in § 5-1-102, *has committed such acts even if the* incident

35 did not take place in the presence of the law enforcement officer.

36   (2) The arrest of the person shall be considered the preferred

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1 action by the law enforcement officer when evidence indicates that domestic

2 abuse has occurred in addition to a violation of the Arkansas Criminal Code, §

3 5-1-101 et seq.

4   (3) Any law enforcement officer acting in good faith and

5 exercising due care in making an arrest for domestic abuse shall have immunity

6 from civil liability.

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8   */s/ Hendren*

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11   **APPROVED: 4/9/2001**

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