Act 1456 of the Regular Session

1   State of Arkansas   *As Engrossed: H3/16/09 S4/7/09*

2   87th General Assembly   **A Bill**

3   Regular Session, 2009   HOUSE BILL   2264

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5   By: Representative D. Creekmore

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8   **For An Act To Be Entitled**

9   AN ACT TO AUTHORIZE AN ARREST WITHOUT A WARRANT

10   IF AN INDIVIDUAL'S ABILITY TO PLACE A TELEPHONE

11   CALL IN CERTAIN EMERGENCIES IS HINDERED OR

12   PREVENTED; AND FOR OTHER PURPOSES.

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15   **Subtitle**

16   TO AUTHORIZE AN ARREST WITHOUT A WARRANT

17   IF AN INDIVIDUAL'S ABILITY TO PLACE A

18   TELEPHONE CALL IN CERTAIN EMERGENCIES IS

19   HINDERED OR PREVENTED.

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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 Title 16, Chapter 81, Subchapter 1 is amended

25 to add a new section to read as follows:

26   *16-81-116. Warrantless arrest for violation of interference with*

27 *emergency communication in the first degree, § 5-60-124, or interference with*

28 *emergency communication in the second degree, § 5-60-125.*

29   *If a law enforcement officer has probable cause to believe a person has*

30 *violated § 5-60-124 or § 5-60-125, the officer may arrest the person without*

31 *a warrant even if the incident did not take place in the presence of the*

32 *officer if the officer has probable cause to believe the person has violated*

33 *the section within the preceding:*

34   *(1) Four (4) hours; or*

35   *(2) Twelve (12) hours in cases involving physical injury as defined in*

1   *§ 5-1-102(14).*

2   */s/ D. Creekmore*

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4   *APPROVED: 4/10/2009*

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