

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

# A Bill

HOUSE BILL 1431

5 By: Representative Tosh  
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## For An Act To Be Entitled

8 AN ACT CONCERNING A NEW OR INACTIVE LAW ENFORCEMENT  
9 AGENCY; AND FOR OTHER PURPOSES.  
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### Subtitle

11 CONCERNING A NEW OR INACTIVE LAW  
12 ENFORCEMENT AGENCY.  
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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19 SECTION 1. Arkansas Code Title 12, Chapter 9, Subchapter 1, is amended  
20 to add an additional section to read as follows:

21 12-9-118. New or inactive law enforcement agency – Approval by  
22 commission required – Definition.

23 (a) As used in this section, "inactive law enforcement agency" means a  
24 law enforcement agency that existed and operated under a local ordinance in  
25 the past but that currently does not exist or has not operated for at least  
26 one (1) year.

27 (b) The chief executive officer of an entity authorized by ordinance  
28 to create a new law enforcement agency or reactivate an inactive law  
29 enforcement agency shall appear before the Arkansas Commission on Law  
30 Enforcement Standards and Training to request the creation of the new law  
31 enforcement agency or reactivation of the inactive law enforcement agency and  
32 present the ordinance and documentation regarding:

33 (1) The funding mechanism, funding source or sources, and  
34 current budget proposal for the law enforcement agency;

35 (2) The proposed or enacted law enforcement agency policies,  
36 including without limitation policies regarding:



- 1                   (A) Use of force;
- 2                   (B) Vehicle pursuit;
- 3                   (C) Professional conduct of law enforcement officers  
4 to be employed by the law enforcement agency; and
- 5                   (D) Biased-based policing;
- 6                   (3) The administrative structure and organizational chart of the  
7 law enforcement agency; and
- 8                   (4) Any other information or documentation required by the  
9 commission.
- 10                  (c) After the appearance and presentation under subsection (b) of this  
11 section, the commission shall approve or disapprove the request to create the  
12 new law enforcement agency or reactivate the inactive law enforcement agency.

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