

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 841 of the Regular Session

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: H3/15/07

A Bill

HOUSE BILL 2302

5 By: Representative Pace
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For An Act To Be Entitled

9 AN ACT TO AMEND § 12-12-211 TO ALLOW THE ARKANSAS
10 CRIME INFORMATION CENTER TO GIVE INFORMATION TO A
11 CONSTABLE WHO HAS MET CERTAIN REQUIREMENTS; TO
12 REQUIRE A CONSTABLE TO WEAR UNIFORM CLOTHING AND
13 IDENTIFICATION; TO REQUIRE THE ARKANSAS
14 COMMISSION ON LAW ENFORCEMENT STANDARDS AND
15 TRAINING TO DEVELOP A COURSE FOR CONSTABLES; AND
16 FOR OTHER PURPOSES.

Subtitle

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19 TO ALLOW THE ARKANSAS CRIME INFORMATION
20 CENTER TO GIVE INFORMATION TO A
21 CONSTABLE; TO REQUIRE A CONSTABLE TO
22 WEAR UNIFORM CLOTHING AND
23 IDENTIFICATION; AND TO PROVIDE A
24 CONSTABLE TRAINING PROGRAM.

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27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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29 SECTION 1. Arkansas Code § 12-12-211 is amended to read as follows:

30 (a)(1) The Arkansas Crime Information Center shall make criminal
31 history records on persons available in accordance with §§ 12-12-1008 - 12-
32 12-1011.

33 (2) Release of other noncriminal history records shall be in
34 accordance with policies and regulations established by the Supervisory Board
35 ~~of~~ for the Arkansas Crime Information Center.



1 (b)(1) The Office of Child Support Enforcement of the Revenue Division
2 of the Department of Finance and Administration shall be considered a
3 criminal justice agency solely for the purpose of securing information from
4 the center regarding the address or whereabouts of any deserting parent from
5 whom the Office of Child Support Enforcement is charged with collecting child
6 support.

7 (2) Any information received by the Crime Victims Reparations
8 Board through the office of the Attorney General obtained from the center
9 pursuant to § 16-90-712 shall not be available for examination except by the
10 affected claimant or his or her duly authorized representative.

11 (3)(A) It shall be unlawful for any person to disclose
12 information obtained under this subsection except:

13 (i) For the purpose of performing the duties of the:

14 (a) Office; or

15 (b) Crime Victims Reparations Board; or

16 (ii) Upon court order.

17 (B) Upon conviction, any person violating subdivision
18 (b)(3)(A) of this section shall be guilty of a Class A misdemeanor.

19 (c)(1) Except as provided in subdivision (c)(2) of this section, An an
20 elected law enforcement officer of a political subdivision of this state
21 shall not be allowed access to information from the center unless either the
22 elected law enforcement officer or a law enforcement officer within his or
23 her department has successfully completed the preparatory program of police
24 training required by the Arkansas Commission on Law Enforcement Standards and
25 Training for certification of law enforcement officers.

26 (2) A constable shall have access to information from the center
27 if the Arkansas Commission on Law Enforcement Standards and Training
28 certifies that the constable has completed the course required by § 14-14-
29 1314.

30 (d)(1) The State Board of Law Examiners shall be deemed to be a
31 regulatory agency having specific statutory access to the records of the
32 center as provided by subsection (a) of this section.

33 (2) In that capacity, the State Board of Law Examiners shall
34 require each applicant for admission to the Bar of Arkansas to be
35 fingerprinted.

36 (3) The center is authorized to accept fingerprints or other

1 information provided to it by the State Board of Law Examiners and is further
2 authorized to release to the State Board of Law Examiners any requested
3 information, including state, multistate, and Federal Bureau of Investigation
4 criminal history records, as they may relate to applicants for admission to
5 the bar.

6 (e) The center shall provide access to the insurance verification
7 database which contains the information provided to the Department of Finance
8 and Administration under § 27-22-107 to law enforcement officers during the
9 course of traffic stops.

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11 SECTION 2. Arkansas Code Title 14, Chapter 14, Subchapter 13 is
12 amended to add an additional section to read as follows:

13 14-14-1314. Constable training requirements – Uniform requirements.

14 (a)(1)(A) For a constable to have access to information from the
15 Arkansas Crime Information Center:

16 (i) He or she shall satisfactorily complete the
17 constable certification course provided by the Arkansas Commission on Law
18 Enforcement Standards and Training.

19 (ii) Each year after completing the certification
20 course required under subdivision (1)(A)(i) of this subsection, he or she
21 shall satisfactorily complete sixteen (16) hours of training provided by the
22 Arkansas Commission on Law Enforcement Standards and Training.

23 (B) For a constable to carry a firearm:

24 (i) He or she shall attend sixteen (16) hours of
25 firearms training; and

26 (ii) Each year after completing the training
27 required under subdivision (1)(B)(I) of this subsection, he or she shall
28 satisfy the firearm qualification standards for a law enforcement official.

29 (2) A constable holding office on the effective date of this
30 section is exempt from the requirements of subdivision (a)(1) of this section
31 if the constable has completed:

32 (A) The part-time II law enforcement training or higher
33 level training course; and

34 (B) Mandatory racial profiling courses.

35 (b)(1) In the performance of his or her official duties, a constable
36 shall wear a uniform consisting of:

1 (A) The following shirts:

2 (i) A long sleeve black shirt with black epaulets
3 and black pocket flaps and a gray tie from October 1 until March 31;

4 (ii) A short sleeve black shirt with black epaulets
5 and black pocket flaps from April 1 until September 30; or

6 (iii) A white shirt on formal occasions at any time;

7 (B)(i) A constable identification patch on the left
8 shoulder of the shirt and an American flag on the right shoulder.

9 (ii) The top of each patch shall be one inch (1")
10 down from the shoulder seam of the shirt;

11 (C) A name tag above the right pocket flap of the shirt;

12 (D) A six-point star, containing the words "Arkansas
13 Constable" shall be on the left side of the shirt;

14 (E) The following pants:

15 (i) Tan pants; or

16 (ii) Blue or black pants on formal occasions; and

17 (F) A gray hat with a six-point star on the front
18 containing the words "Arkansas Constable".

19 (2) If a constable is engaged in search or rescue activities, he or
20 she shall wear a uniform consisting of:

21 (A) A black shirt;

22 (B) Black pants; and

23 (C) A black cap with a six-point star with the words "Arkansas
24 Constable".

25 (c) In the performance of his or her official duties, a constable
26 shall drive a motor vehicle that is:

27 (1) Fully equipped with emergency equipment; and

28 (2) Clearly marked with a six-point star and the words "Arkansas
29 Constable".

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31 SECTION 3. Arkansas Code Title 12, Chapter 9, Subchapter 1 is amended
32 to add an additional section to read as follows:

33 12-9-115. Training for constables.

34 After consultation with the Arkansas Constables Association, the
35 Arkansas Commission on Law Enforcement Standards and Training shall develop a
36 training course of one hundred twenty (120) hours to one hundred sixty (160)

1 hours for certifying new constables.

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/s/ Pace

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APPROVED: 4/3/2007

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