

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

A Bill

HOUSE BILL 1471

5 By: Representative Tosh
6 By: Senator Rice
7

For An Act To Be Entitled

9 AN ACT CONCERNING THE CARRYING OF A FIREARM BY A
10 PAROLE AND PROBATION OFFICER; AND FOR OTHER PURPOSES.
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Subtitle

14 CONCERNING THE CARRYING OF A FIREARM BY A
15 PAROLE AND PROBATION OFFICER.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code § 16-93-103 is amended to read as follows:

21 16-93-103. Authority of officers to make arrests and carry firearms.

22 (a) ~~Any~~ A probation officer appointed by a circuit court or district
23 court, excluding a juvenile probation officer, ~~whether a circuit court or~~
24 ~~district court~~, and ~~any~~ a parole and probation officer employed by the
25 Department of Community Correction who is a currently certified law
26 enforcement officer may execute, serve, and return all lawful warrants of
27 arrest issued by the State of Arkansas or any political subdivision ~~thereof~~
28 of the state and ~~is~~ are otherwise authorized to make lawful arrests as is any
29 law enforcement officer of the State of Arkansas.

30 ~~(b) Any such parole and probation officer is further authorized to~~
31 ~~carry firearms during all hours in which he or she is actively pursuing the~~
32 ~~obligations and duties of the office to which he or she is appointed or~~
33 ~~employed, pursuant to selection and training requirements under §§ 12-9-104,~~
34 ~~12-9-106, and 12-9-107.~~

35 ~~(c) Any such parole and probation officer is further authorized to~~
36 ~~carry nonstate issued firearms during all hours in which he or she is not~~



1 ~~actively pursuing the obligations and duties of the office to which he or she~~
2 ~~is appointed or employed.~~

3 (b) A parole and probation officer either employed by the department
4 or another entity authorized to employ a parole and probation officer may
5 carry a:

6 (1) Firearm during all hours in which he or she is actively
7 engaged in the obligations and duties of the office to which he or she is
8 appointed or employed, pursuant to selection and training requirements under
9 §§ 12-9-104, 12-9-106, and 12-9-107; and

10 (2) Nonstate-issued firearm during all hours in which he or she
11 is not actively pursuing the obligations and duties of the office to which he
12 or she is appointed.

13 (c) A parole and probation officer employed by the department may also
14 carry:

15 (1) A nonstate-issued firearm as a secondary weapon while
16 actively engaged in the duties of the office to which he or she is appointed
17 or employed; and

18 (2) A state-issued firearm during all hours in which he or she
19 is not actively engaged in the duties of the office to which he or she is
20 appointed or employed, except that a parole and probation officer may not
21 carry a firearm issued by the department while the parole and probation
22 officer is actively working at employment other than for the department.

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25 **APPROVED: 02/21/2017**
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