

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

HOUSE BILL 1566

5 By: Representatives Lea, Slinkard
6 By: Senator Holland
7

For An Act To Be Entitled

9 AN ACT TO IMPROVE TRAINING FOR COUNTY OFFICERS; TO
10 INCREASE FUNDS AVAILABLE FOR CONTINUING EDUCATION FOR
11 COUNTY CLERKS, CIRCUIT CLERKS, COUNTY TREASURERS, AND
12 COUNTY COLLECTORS; TO ESTABLISH CONTINUING EDUCATION
13 PROGRAMS FOR CORONERS; TO ESTABLISH A MASS FATALITY
14 MUTUAL AID AGREEMENT; TO ESTABLISH THE CORONER'S
15 EDUCATION, TRAINING, AND CERTIFICATION FUND; AND FOR
16 OTHER PURPOSES.

Subtitle

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19 TO IMPROVE TRAINING FOR COUNTY CLERKS;
20 CIRCUIT CLERKS, COUNTY TREASURERS, COUNTY
21 COLLECTORS, AND CORONERS; AND TO
22 ESTABLISH A CORONER'S TRAINING FUND.
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26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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28 SECTION 1. Arkansas Code § 26-60-112(b)(1), concerning the disposition
29 of fees collected on deeds, instruments, and writings, is amended to read as
30 follows:

31 (b) The revenues derived from the tax levied by § 26-60-105(a) shall
32 be deposited by the Director of the Department of Finance and Administration
33 into the State Treasury, and the Treasurer of State after deducting three
34 percent (3%) of the revenues for distribution to the Constitutional Officers
35 Fund and the State Central Services Fund to be used for the purposes as
36 provided by law shall distribute the net amount of the revenues as follows:



(1) Ten percent (10%) of the remainder shall be distributed as special revenues, as follows:

(A) The first ~~ninety thousand dollars (\$90,000)~~ one hundred fifty-seven thousand five hundred dollars (\$157,500) of the remainder during each fiscal year shall be credited to the ~~County and Circuit Clerks Continuing Education Fund~~ County Clerks Continuing Education Fund, the Circuit Clerks Continuing Education Fund by Acts and the County Coroners Continuing Education Fund ~~which is~~ that are established in the State Treasury, to be used for defraying the expenses of training seminars and other educational projects benefiting county and circuit clerks and coroners in this state, as provided by appropriations enacted by the General Assembly and shall be used as follows:

(i)(a) ~~Forty-five thousand dollars (\$45,000)~~ Fifty-two thousand five hundred dollars (\$52,500) for county clerks' continuing education.

(b) Any unexpended balances of moneys designated for county clerks' continuing education shall be retained exclusively for the purpose of county clerks' continuing education; ~~and~~

(ii)(a) ~~Forty-five thousand dollars (\$45,000)~~ Fifty-two thousand five hundred dollars (\$52,500) for circuit clerks' continuing education.

(b) Any unexpended balances of moneys designated for circuit clerks' continuing education shall be retained exclusively for the purpose of circuit clerks' continuing education; and

(iii)(a) Fifty-two thousand five hundred dollars (\$52,500) for county coroners' continuing education.

(b) Any unexpended balances of moneys designated for county coroners' continuing education shall be retained exclusively for the purpose of county coroners' continuing education; and

SECTION 2. Arkansas Code § 12-9-104 is amended to read as follows:
12-9-104. Commission's powers generally.

In addition to powers conferred upon the Arkansas Commission on Law Enforcement Standards and Training elsewhere in this subchapter, the commission may:

(1)(A) Promulgate rules ~~and regulations~~ for the administration

1 of this subchapter.

2 (B) The rules ~~and regulations~~ promulgated by the
3 commission shall not go into full force and effect until the commission seeks
4 the advice of the Legislative Council and the House Committee on Public
5 Health, Welfare, and Labor and the Senate Committee on Public Health,
6 Welfare, and Labor or appropriate subcommittees of the Legislative Council
7 and the House Committee on Public Health, Welfare, and Labor and the Senate
8 Committee on Public Health, Welfare, and Labor;

9 (2) Require the submission of reports and information by police
10 departments within this state;

11 (3)(A)(i) Establish minimum selection and training standards for
12 admission to employment as a law enforcement officer.

13 (ii) The minimum selection and training standards
14 may take into account different requirements for urban and rural areas, full-
15 time and part-time employment, and specialized police personnel.

16 (B) However, the minimum selection and training standards
17 for admission to employment as a law enforcement officer shall not apply to
18 volunteer police auxiliary officers, to volunteer officers of county
19 sheriffs' mounted patrols, and to honorary police officer commissions issued
20 by appropriate police authority;

21 (4) Establish minimum curriculum requirements for preparatory,
22 in-service, and advanced courses and programs of schools operated by or for
23 the state and political subdivisions for the specific purpose of training
24 recruits ~~for~~ as law enforcement officers;

25 (5) Consult and cooperate with counties, municipalities,
26 agencies of this state, other governmental agencies, and with universities,
27 colleges, junior colleges, community colleges, and other institutions or
28 organizations concerning the development of police training schools and
29 programs or courses of instruction;

30 (6) Approve institutions and facilities to be used by or for the
31 state or any political subdivision of the state for the specific purpose of
32 training law enforcement officers and recruits;

33 (7) Adopt rules and minimum standards for schools, ~~which shall~~
34 ~~include, but not be limited to, the following~~ including without limitation:

35 (A) The curriculum for:

36 (i) Probationary police officers, which shall be

1 offered by all certified schools, ~~and which shall include, but shall not be~~
 2 ~~limited to~~ including without limitation, courses on:

- 3 (a) Accident investigation;
- 4 (b) Arrest;
- 5 (c) Civil rights;
- 6 (d) Court testimonies;
- 7 (e) Criminal law;
- 8 (f) Firearms training;
- 9 (g) First aid;
- 10 (h) Handling of juvenile offenders;
- 11 (i) Human relations;
- 12 (j) Law of criminal procedure;
- 13 (k) Law of evidence;
- 14 (l) Physical training;
- 15 (m) Race relations and sensitivity;
- 16 (n) Recognition of mental conditions ~~which~~
 17 that require immediate assistance and methods to safeguard and provide
 18 assistance to a person in need of mental treatment;
- 19 (o) Reports;
- 20 (p) Search and seizure;
- 21 (q) Statements;
- 22 (r) Techniques of obtaining physical evidence;
- 23 (s) Traffic control; and
- 24 (t) Vehicle and traffic law; and

25 (ii) Permanent police officers, ~~which shall include,~~
 26 ~~but shall not be limited to,~~ including without limitation refresher and in-
 27 service training in:

- 28 (a) Any of the courses listed in subdivision
 29 (7)(A)(i) of this section;
- 30 (b) Advanced courses in any of the subjects
 31 listed in subdivision (7)(A)(i) of this section;
- 32 (c) Training for supervisory personnel; and
- 33 (d) Specialized training in subjects and
 34 fields to be selected by the board;

35 (B) Minimum courses of study, attendance requirements, and
 36 equipment requirements;

1 (C) Minimum requirements for instructors; and

2 (D) Minimum basic training requirements ~~which~~ that a
3 probationary police officer must satisfactorily complete before being
4 eligible for permanent employment as a law enforcement officer;

5 (8) Make and encourage studies of any aspect of police
6 administration;

7 (9) Conduct and stimulate research by public and private
8 agencies designed to improve police administration and law enforcement;

9 (10) Make recommendations concerning matters within its purview
10 pursuant to this subchapter;

11 (11) Make evaluations as may be necessary to determine if
12 governmental units are complying with ~~the provisions of~~ this subchapter;

13 (12) Adopt and amend bylaws, consistent with law, for ~~its~~ the
14 commission's internal management and control;

15 (13) Enter into contracts or do such things as may be necessary
16 and incidental to the administration of this subchapter;

17 (14) Facilitate training of certified law enforcement officers
18 pursuant to a memorandum of understanding between the State of Arkansas and
19 the United States Department of Justice or the ~~United States~~ Department of
20 Homeland Security concerning the enforcement of federal immigration laws;

21 (15) In consultation with the Arkansas Association of Chiefs of
22 Police, develop and implement suggested selection and training requirements
23 and nonmandatory basic and advanced levels of certification for chiefs of
24 police; ~~and~~

25 (16) In consultation with the Arkansas Sheriffs' Association,
26 develop and implement suggested training requirements and nonmandatory basic
27 and advanced levels of certification for county sheriffs; and

28 (17) Adopt rules to implement §§ 14-15-309 and 19-6-819.
29

30 SECTION 3. Arkansas Code § 14-15-811(c)(2)(A), concerning continuing
31 education through the County Treasurer's Continuing Education Board, is
32 amended to read as follows:

33 (2)(A) The quorum court of each county shall annually appropriate and
34 pay into the fund in the State Treasury the sum of ~~six hundred dollars (\$600)~~
35 seven hundred dollars (\$700) from fees of the office of county treasurer.
36

1 SECTION 4. Arkansas Code § 14-15-1001(c)(1)(B), concerning continuing
 2 education through the County Collector’s Continuing Education Board, is
 3 amended to read as follows:

4 (B) The quorum court of each county shall annually
 5 appropriate and pay into the fund in the State Treasury the sum of ~~six~~
 6 ~~hundred dollars (\$600)~~ seven hundred dollars (\$700) from fees of the office
 7 of county collector.

8
 9 SECTION 5. Arkansas Code Title 14, Chapter 15, Subchapter 3, is
 10 amended to add two additional sections to read as follows:

11 14-15-308. Training and instruction.

12 (a) The Arkansas Commission on Law Enforcement Standards and Training,
 13 in coordination with the Department of Health, shall establish a training
 14 curriculum for medicolegal death investigators, coroners, and deputy corners
 15 in Arkansas that consists of no less than sixteen (16) hours nor more than
 16 forty (40) hours of instruction, including without limitation courses on:

- 17 (1) Courses on medicolegal death investigation leading to
 18 certification as a medicolegal death investigator;
- 19 (2) Scene investigation;
- 20 (3) Body recovery;
- 21 (4) Safety;
- 22 (5) Statutes and rules;
- 23 (6) Documentation and reporting;
- 24 (7) Communication and interviewing; and
- 25 (8) Proper completion of a death certificate and assignment of
 26 cause of death.

27 (b) The commission shall:

28 (1) Issue a certificate of satisfactory participation and
 29 completion to a coroner, deputy coroner, or medicolegal death investigator
 30 who completes the instructional program required under subsection (a) of this
 31 section; and

32 (2)(A) Administer the funds for the payment and reimbursement
 33 for materials, speakers, mileage, lodging, meals, the cost of the
 34 certificate, and training equipment that are in addition to compensation
 35 allowed under §§ 14-14-1203, 14-14-1204, and 14-14-1206.

36 (B) The commission may receive funding for coroner

1 training through grants in aid, donations, and the County Coroners Continuing
2 Education Fund.

3 (c) The commission shall provide death investigation training:

4 (1) Free of charge to a law enforcement officer, a state death
5 investigator, and an employee of the State Crime Laboratory; and

6 (2) For a fee under a memorandum of understanding between the
7 commission and the Coroner's Association to coroners and deputy coroners.

8
9 14-15-309. Mass fatality resource inventory and mutual aid agreement.

10 (a) As used in this section:

11 (1) "Fixed assets" means items that are permanently located but
12 can be made available for use, including without limitation:

13 (A) Office space;

14 (B) Body refrigeration units;

15 (C) Personnel rehabilitation areas; and

16 (D) Equipment storage facilities;

17 (2) "Mobile assets" means items that can be transported to an
18 affected area, including without limitation:

19 (A) Personal protective equipment such as masks, tyvek
20 suits, gloves, boots, environmental protection, and hazards protection;

21 (B) Investigative equipment such as cameras, measuring
22 devices, collection bags, and labeling devices;

23 (C) Body recovery equipment such as sheets, body bags,
24 ropes, boards, and stretchers;

25 (D) Administrative equipment for the purposes of data
26 recording, financial management, and records preservation; and

27 (E) Vehicular equipment such as cars, trucks, vans,
28 trailers, and boats; and

29 (3) "Personnel assets" means:

30 (A) Coroners, deputy coroners, and medicolegal death
31 investigators; and

32 (B) Other individuals or entities that possess specialized
33 skills necessary for the comprehensive investigation of deaths in a mass
34 fatality incident.

35 (b)(1) The Department of Health may enter into a mass fatality
36 resource inventory and mutual aid agreement among coroners in this state.

1 (2) A mass fatality resource inventory and mutual aid agreement
2 under this section is effective when signed by the county judge in a county
3 in which a coroner enters into an agreement under subdivision (b)(1) of this
4 section.

5 (3) A mass fatality resource inventory and mutual aid agreement
6 under this section may provide for the sharing of fixed assets, mobile
7 assets, and personnel assets.

8 (c) The signatures of the county judge and the coroner are necessary
9 for a county to pledge its deputies, equipment, and resources to the mass
10 fatality mutual aid agreement.

11 (d) Only a coroner, deputy coroner, or medicolegal death investigator
12 who receives documentation reflecting satisfactory participation and
13 completion from the commission and is in good standing under this section may
14 be allocated for assignment and duty in the mass fatality resource inventory
15 and mutual aid agreement.

16 (e) The Department of Health shall maintain records of coroners,
17 deputy coroners, and medicolegal death investigators who have received
18 training and certificates of course completion under this section from the
19 Arkansas Commission on Law Enforcement Standards and Training.

20
21 SECTION 6. Arkansas Code § 19-6-301, concerning the enumeration of
22 special revenues, is amended to add an additional subdivision to read as
23 follows:

24 (246) The first designated portion of real estate transfer taxes
25 for the continuing education of county coroners under §§ 26-60-105 and 26-60-
26 112.

27
28 SECTION 7. Arkansas Code Title 19, Chapter 6, Subchapter 8, is amended
29 to add an additional section to read as follows:

30 19-6-819. County Coroners Continuing Education Fund.

31 (a) There is created on the books of the Treasurer of State, Auditor
32 of State, and Chief Fiscal Officer of the State a special revenue fund to be
33 known as the "County Coroners Continuing Education Fund".

34 (b)(1) The fund shall consist of those special revenues as specified
35 in § 19-6-301(246).

36 (2) The fund shall also consist of any other revenues as may be

1 authorized by law.

2 (c) The fund shall be used for defraying the expenses of training
3 seminars and other educational projects benefiting county coroners in this
4 state as set out in § 14-15-308, §§ 16-20-105 and 16-20-110, and § 26-60-101
5 et seq.

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