

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

# A Bill

HOUSE BILL 1369

5 By: Representative Dotson  
6 By: Senator J. English  
7

## For An Act To Be Entitled

9 AN ACT TO PROVIDE FOR THE CREATION AND ADMINISTRATION  
10 OF A REGULATORY DIVISION OF THE DEPARTMENT OF FINANCE  
11 AND ADMINISTRATION AND THE APPOINTMENT OF A  
12 REGULATORY ADMINISTRATOR OF THE REGULATORY DIVISION  
13 OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO  
14 PROVIDE FOR THE ASSIGNMENT OF ENFORCEMENT AGENTS FOR  
15 THE REGULATORY DIVISION OF THE DEPARTMENT OF FINANCE  
16 AND ADMINISTRATION; TO AMEND THE LAW CONCERNING  
17 ENFORCEMENT AGENTS FOR STATE AGENCIES WITHIN THE  
18 REGULATORY DIVISION OF THE DEPARTMENT OF FINANCE AND  
19 ADMINISTRATION; AND FOR OTHER PURPOSES.  
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## Subtitle

22 TO PROVIDE FOR THE CREATION OF A  
23 REGULATORY DIVISION OF THE DEPARTMENT OF  
24 FINANCE AND ADMINISTRATION, THE  
25 APPOINTMENT OF A REGULATORY  
26 ADMINISTRATOR, AND THE ASSIGNMENT OF  
27 ENFORCEMENT AGENTS.  
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31 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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33 SECTION 1. Arkansas Code Title 25, Chapter 8, Subchapter 1, is amended  
34 to add an additional section to read as follows:

35 25-8-111. Regulatory Division – Regulatory Administrator.

36 (a) The Regulatory Division is created within the Department of



1 Finance and Administration and is designated as a law enforcement agency.

2 (b)(1) Notwithstanding § 25-8-101(b), the Governor shall appoint a  
 3 Regulatory Administrator of the Regulatory Division.

4 (2) The Regulatory Administrator shall:

5 (A) Serve at the pleasure of the Governor;

6 (B) Report to the Secretary of the Department of Finance  
 7 and Administration;

8 (C) Maintain oversight of:

9 (i) The Alcoholic Beverage Control Division;

10 (ii) The Alcoholic Beverage Control Enforcement  
 11 Division;

12 (iii) Arkansas Tobacco Control; and

13 (iv) The Arkansas Racing Commission; and

14 (D)(i) Assign personnel as enforcement agents of the  
 15 Regulatory Division to conduct investigations of violations of the laws in  
 16 this state.

17 (ii) An enforcement agent assigned under this  
 18 section:

19 (a) Shall be considered a full-time law  
 20 enforcement officer by the Arkansas Commission on Law Enforcement Standards  
 21 and Training under § 12-9-101 et seq.;

22 (b) Has statewide law enforcement authority;  
 23 and

24 (c) Has the right to enter, inspect records,  
 25 and seize contraband in or on any licensed premises as a condition of the  
 26 license or permit.

27  
 28 SECTION 2. Arkansas Code § 3-2-210 is repealed.

29 ~~3-2-210. Authority of enforcement agent—Deputy Director of Education~~  
 30 ~~—Law enforcement officer.~~

31 ~~(a) The right of any enforcement agent, law enforcement officer, or~~  
 32 ~~the Deputy Director of Education of the Alcoholic Beverage Control Division,~~  
 33 ~~when duly designated by the Director of the Alcoholic Beverage Control~~  
 34 ~~Enforcement Division, to enter, inspect records, and seize contraband in or~~  
 35 ~~on any licensed premises shall be deemed to be a condition of the license or~~  
 36 ~~permit to sell alcoholic beverages granted by this state.~~

~~(b) A duly designated enforcement agent or the deputy director shall have all powers, rights, and protection provided to all other law enforcement officers by the laws of this state, specifically including the power of arrest and service of warrants and the right to bear arms in the line of duty.~~

SECTION 3. Arkansas Code § 26-57-266 is repealed.

~~26-57-266. Enforcement agents—Selection—Qualifications—Authority.~~

~~(a) Arkansas Tobacco Control is designated as a law enforcement agency.~~

~~(b) The Director of Arkansas Tobacco Control shall assign personnel as agents of Arkansas Tobacco Control to conduct investigations of violations of tobacco laws in this state.~~

~~(c) Personnel assigned as agents of Arkansas Tobacco Control shall:~~

~~(1) Be considered fulltime law enforcement officers by the Arkansas Commission on Law Enforcement Standards and Training under § 12-9-101 et seq.; and~~

~~(2) Have statewide law enforcement authority.~~