

Stricken language would be deleted from and underlined language would be added to present law.
Act 497 of the Regular Session

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

As Engrossed: H2/28/17
A Bill

HOUSE BILL 1430

5 By: Representative Tosh
6

7 **For An Act To Be Entitled**

8 AN ACT CONCERNING LAW ENFORCEMENT OFFICER STANDARDS
9 AND TRAINING; CONCERNING THE ARKANSAS COMMISSION ON
10 LAW ENFORCEMENT STANDARDS AND TRAINING; TO REPEAL
11 OBSOLETE LANGUAGE; TO MAKE TECHNICAL CORRECTIONS; AND
12 FOR OTHER PURPOSES.
13

14
15 **Subtitle**

16 CONCERNING LAW ENFORCEMENT OFFICER
17 STANDARDS AND TRAINING; CONCERNING THE
18 ARKANSAS COMMISSION ON LAW ENFORCEMENT
19 STANDARDS AND TRAINING; TO REPEAL
20 OBSOLETE LANGUAGE; AND TO MAKE TECHNICAL
21 CORRECTIONS.
22

23
24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
25

26 SECTION 1. Arkansas Code § 6-82-1202 is repealed.

27 ~~6-82-1202. Arkansas Police Corps Planning Commission.~~

28 ~~(a) There is hereby established the Arkansas Police Corps Planning~~
29 ~~Commission.~~

30 ~~(b) The commission shall be appointed by the Governor and shall have~~
31 ~~eleven (11) members:~~

32 ~~(1) The Director of the Department of Higher Education;~~

33 ~~(2) The Director of the Department of Arkansas State Police;~~

34 ~~(3) The Director of the Arkansas Law Enforcement Training~~
35 ~~Academy;~~

36 ~~(4) A representative of the Arkansas Municipal Police~~



1 Association;

2 ~~(5) A representative of the Arkansas Sheriffs Association;~~

3 ~~(6) A representative of the Arkansas Police Chiefs Association;~~

4 ~~(7) Two (2) faculty members or administrators from institutions~~
5 ~~of higher education with accredited criminal justice programs;~~

6 ~~(8) Two (2) higher education financial aid administrators; and~~

7 ~~(9) One (1) active certified law enforcement officer.~~

8 ~~(c)(1) The Director of the Criminal Justice Institute or the~~
9 ~~director's designee shall serve as an ex officio member and as chair of the~~
10 ~~commission.~~

11 ~~(2) The commission shall meet at the call of the chair.~~

12 ~~(d) Should the federal government create a national police corps~~
13 ~~program, the commission shall be the entity designated to administer the~~
14 ~~state's participation in the federal program.~~

15
16 SECTION 2. Arkansas Code § 12-9-102 is amended to read as follows:
17 12-9-102. Definitions.

18 As used in this subchapter:

19 ~~(1) "Commission" means the Arkansas Commission on Law~~
20 ~~Enforcement Standards and Training as established by § 12-9-103;~~

21 ~~(2)(1) "Law enforcement agency" means:~~

22 (A) A private college or university law enforcement agency
23 as described in § 12-20-101 et seq.;

24 (B) The Arkansas Commission on Law Enforcement Standards
25 and Training and the Black River Technical College Law Enforcement Training
26 Academy as designated under § 12-9-210; and

27 (C) Any other entity designated by law as a law
28 enforcement agency;

29 (2) "Law enforcement officer" means any an appointed law
30 enforcement officer who is responsible for the prevention and detection of
31 crime and the enforcement of the criminal, traffic, or highway laws of this
32 state, excluding only those officers who are elected by a vote of the people;
33 and

34 (3) "Political subdivision" means any county, municipality,
35 township, or other specific local unit of general government.

36

1 SECTION 3. Arkansas Code § 12-9-103(a) and (b), concerning the
2 membership of the Arkansas Commission on Law Enforcement Standards and
3 Training, is amended to read as follows:

4 (a) The members of the Arkansas Commission on Law Enforcement
5 Standards and Training shall consist of ten (10) members, to be appointed by
6 the Governor with the advice and approval of the Senate.

7 (b)(1)(A) Two (2) members of the commission shall be chiefs of police
8 of municipalities in Arkansas, two (2) members of the commission shall be
9 county sheriffs of counties in this state, one (1) member shall be an officer
10 of the Department of Arkansas State Police, two (2) members shall be
11 appointed to represent the public, and one (1) member shall be an educator in
12 the field of criminal justice, and one (1) member shall represent the
13 Arkansas Municipal Police Association.

14 (B) Each congressional district of the state shall be
15 represented on the commission, with the remaining members to be appointed
16 from the state at large.

17 (2)(A) One (1) member shall not be actively engaged in or
18 retired from law enforcement.

19 (B) The member under subdivision (b)(2)(A) of this section
20 shall be:

21 (i) ~~Sixty~~ At least sixty (60) years of age and shall
22 represent the elderly;

23 (ii) Appointed from the state at large subject to
24 confirmation by the Senate; and

25 (iii) A full voting member.

26 ~~(3) The person who is elected as president of the Arkansas~~
27 ~~Municipal Police Association or his or her designee shall be a full voting~~
28 ~~member of the commission.~~

29
30 SECTION 4. Arkansas Code § 12-9-104 is amended to read as follows:
31 12-9-104. Commission's powers generally.

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

35 (1)(A) Promulgate rules for the administration of this
36 subchapter.

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

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

10 (3)(A)~~(i)~~ Establish minimum selection and training standards for
11 admission to employment as a law enforcement officer or as a private college
12 or university law enforcement officer.

13 ~~(ii)(B)~~ The minimum selection and training standards may
14 take into account different requirements for urban and rural areas, full-time
15 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 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, including
34 without limitation:

35 (A) The curriculum for:

36 (i) Probationary police officers, which shall be

- 1 offered by all certified schools, including without limitation courses on:
- 2 (a) Accident investigation;
 - 3 (b) Arrest;
 - 4 (c) Civil rights;
 - 5 (d) Court testimonies;
 - 6 (e) Criminal law;
 - 7 (f) Firearms training;
 - 8 (g) First aid;
 - 9 (h) Handling of juvenile offenders;
 - 10 (i) Human relations;
 - 11 (j) Law of criminal procedure;
 - 12 (k) Law of evidence;
 - 13 (l) Physical training;
 - 14 (m) Race relations and sensitivity;
 - 15 (n) Recognition of mental conditions that
 - 16 require immediate assistance and methods to safeguard and provide assistance
 - 17 to a person in need of mental treatment;
 - 18 (o) Reports;
 - 19 (p) Search and seizure;
 - 20 (q) Statements;
 - 21 (r) Techniques of obtaining physical evidence;
 - 22 (s) Traffic control; and
 - 23 (t) Vehicle and traffic law; and
 - 24 (ii) Permanent Certified police officers, including
 - 25 without limitation refresher and in-service training in:
 - 26 (a) Any of the courses listed in subdivision
 - 27 (7)(A)(i) of this section;
 - 28 (b) Advanced courses in any of the subjects
 - 29 listed in subdivision (7)(A)(i) of this section;
 - 30 (c) Training for supervisory personnel; and
 - 31 (d) Specialized training in subjects and
 - 32 fields to be selected by the commission;
 - 33 (B) Minimum courses of study, attendance requirements, and
 - 34 equipment requirements;
 - 35 (C) Minimum requirements for instructors; and
 - 36 (D) Minimum basic training requirements that a

1 probationary police officer must satisfactorily complete before being
2 eligible for ~~permanent employment~~ certification as a law enforcement officer;

3 (8) Make and encourage studies of any aspect of police
4 administration;

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

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

9 (11) Make evaluations as may be necessary to determine if
10 governmental units are complying with this subchapter;

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

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

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

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

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

26 ~~(17)(A) Establish minimum training and certification~~
27 ~~requirements for law enforcement canine officers utilizing canines as an aid~~
28 ~~for performing searches, seizures, and other law enforcement functions.~~

29 ~~(B) This requirement shall include certification~~
30 ~~requirements for:~~

31 ~~(i) Officers or other persons who conduct training~~
32 ~~for law enforcement canines;~~

33 ~~(ii) Courses for training law enforcement canines;~~

34 ~~(iii) Minimum requirements for law enforcement~~
35 ~~canine certifying officials;~~

36 ~~(iv) Record keeping concerning the training of law~~

1 ~~enforcement canines; and~~

2 ~~(v) Law enforcement canines; and~~

3 ~~(18)(17) Adopt rules to implement §§ 14-15-309 and 19-6-819, 19-~~
4 ~~6-821; and~~

5 ~~(18) Impose administrative penalties against a law enforcement~~
6 ~~agency or governmental entity for violations of commission rules as permitted~~
7 ~~under § 12-9-118.~~

8

9 SECTION 5. Arkansas Code § 12-9-106(a), concerning selection and
10 training requirements of a law enforcement officer, is amended to read as
11 follows:

12 (a)(1) The Arkansas Commission on Law Enforcement Standards and
13 Training shall provide by rule that a person shall not be appointed as a law
14 enforcement officer, except on a temporary basis not to exceed ~~one (1) year~~
15 nine (9) months, unless the person has satisfactorily completed a preparatory
16 program of police training at a school approved by the commission.

17 ~~(2)(A) A law enforcement officer who lacks the education and~~
18 ~~training qualifications or background investigation required by the~~
19 ~~commission shall not have his or her temporary employment extended beyond one~~
20 ~~(1) year, by renewal of appointment or otherwise, unless extraordinary~~
21 ~~circumstances exist in the majority opinion of the executive body of the~~
22 ~~commission.~~

23 ~~B)(2) If the executive body of the commission determines under~~
24 ~~subdivision (a)(2)(A) of this section that extraordinary circumstances exist,~~
25 ~~the commission may approve an extension of temporary employment for no more~~
26 ~~than an eight-month period.~~

27

28 SECTION 6. Arkansas Code § 12-9-107(b), concerning training programs
29 conducted by the Arkansas Commission on Law Enforcement Standards and
30 Training, is amended to read as follows:

31 (b) The commission shall establish and maintain police training
32 programs through such agencies and institutions as the commission may deem
33 appropriate to carry out the intent of this subchapter, ~~including provision~~
34 ~~for training participants under twenty-one (21) years of age in the Arkansas~~
35 ~~Police Corps Scholarship Program.~~

36

1 SECTION 7. Arkansas Code § 12-9-108(a), concerning the failure of a
2 law enforcement officer to meet qualifications, is amended to read as
3 follows:

4 (a)(1) Actions taken by law enforcement officers who do not meet all
5 of the standards and qualifications set forth in this subchapter or made by
6 the Arkansas Commission on Law Enforcement Standards and Training shall not
7 be held invalid merely because of the failure to meet the standards and
8 qualifications.

9 (2)(A) The Director of Law Enforcement Standards and Training
10 may temporarily suspend a law enforcement officer's ability to act as a law
11 enforcement officer for failure to meet the standards or qualifications under
12 this subchapter until the failure is corrected or pending review by the
13 commission.

14 (B) Notification of a suspension under subdivision (a)(1)
15 of this section shall be made in a timely manner to the administrator of the
16 law enforcement agency by which the law enforcement officer is employed.
17

18 SECTION 8. Arkansas Code § 12-9-111 is amended to read as follows:
19 12-9-111. Uniforms.

20 (a) After seeking prior review by the Legislative Council or Joint
21 Budget Committee and approval by the Chief Fiscal Officer of the State, the
22 Arkansas Commission on Law Enforcement Standards and Training shall be exempt
23 from § 19-6-109(c) for the purpose of buying uniforms for students and law
24 enforcement officers employed by the commission.

25 (b) The amount spent for the purchase of uniforms in any one (1) year
26 shall be limited to forty thousand dollars (\$40,000).
27

28 SECTION 9. Arkansas Code § 12-9-115 is amended to read as follows:
29 12-9-115. Training for constables.

30 After consultation with the Arkansas Constables Association, the
31 Arkansas Commission on Law Enforcement Standards and Training shall develop
32 and certify a training course of ~~one hundred twenty (120)~~ one hundred ten
33 (110) hours to one hundred sixty (160) hours ~~for certifying new constables~~
34 for constables in accordance with § 14-14-1314.
35

36 SECTION 10. Arkansas Code Title 12, Chapter 9, Subchapter 1, is

1 amended to add an additional section to read as follows:

2 12-9-118. Imposition of administrative penalties.

3 (a) When determining the amount of an administrative penalty assessed
4 against a law enforcement agency or governmental entity under subsection (b)
5 of this section for violation of a rule of the Arkansas Commission on Law
6 Enforcement Standards and Training, the commission shall consider:

7 (1) The seriousness of the violation;

8 (2) The law enforcement agency's or governmental entity's
9 history of violations;

10 (3) The amount the commission believes is necessary to deter
11 future similar violations;

12 (4) Efforts made by the law enforcement agency or governmental
13 entity to correct the violation, including the immediacy and degree of
14 corrective action; and

15 (5) Any other consideration that the commission believes
16 important.

17 (b)(1) An administrative penalty may be assessed under this section in
18 the following amounts:

19 (A) For appointing a person who does not meet minimum
20 standards as a law enforcement officer, an administrative penalty of no more
21 than one thousand dollars (\$1,000); and

22 (B) For failing to timely submit any required appointment
23 or separation documents, an administrative penalty of no more than three
24 hundred fifty dollars (\$350).

25 (2) The administrative penalties authorized under this
26 subsection may be assessed on a per-day basis, with each day considered a
27 separate violation.

28 (c) The presence of mitigating factors does not require the commission
29 to dismiss a violation of commission rules.

30 (d)(1) The Director of Law Enforcement Standards and Training may
31 enter into an agreed-upon order concerning administrative penalties under
32 this section with a law enforcement agency or governmental entity, subject to
33 final approval of the commission.

34 (2) The agreed-upon order under subdivision (d)(1) of this
35 section may be in an amount that differs from the amounts in subdivision
36 (b)(1) of this section.

1 (e)(1) The commission shall provide written notice to a law
2 enforcement agency or governmental entity of an alleged violation of a rule,
3 and the law enforcement agency or governmental entity shall respond in
4 writing within thirty (30) days of receipt of the written notice.

5 (2) A law enforcement agency's or governmental entity's failure
6 to respond within thirty (30) days of the written notice under subdivision
7 (e)(1) of this section may result in the entry of a default order of
8 assessment of an administrative penalty.

9 (f) A law enforcement agency or governmental entity may request a
10 hearing before the commission to contest the allegations set forth in the
11 written notice under subsection (e) of this section within thirty (30) days
12 of receipt of the written notice.

13
14 SECTION 11. Arkansas Code § 12-9-203 is amended to read as follows:
15 12-9-203. Acceptance of gifts, grants, etc. - Disposition.

16 ~~(a) The Arkansas Law Enforcement Training Academy is granted authority~~
17 ~~to~~ Arkansas Commission on Law Enforcement Standards and Training may accept
18 gifts, grants, donations, equipment and materials, and bequests of money or
19 gratuities donated by private persons or corporations.

20 ~~(b) All such money so received~~ moneys received under subsection (a) of
21 this section shall be deposited into the State Treasury to the credit of the
22 Miscellaneous Agencies Fund Account of the State General Government Fund
23 Arkansas Law Enforcement Training Academy Cash Fund.

24
25 SECTION 12. Arkansas Code § 12-9-204 is amended to read as follows:

26 12-9-204. ~~Academy instructors~~ Arkansas Commission on Law Enforcement
27 Standards and Training - Law enforcement powers.

28 ~~(a) All full-time basic police training course teaching and~~
29 ~~instruction personnel at the Arkansas Law Enforcement Training Academy, the~~
30 ~~Arkansas Police Corps Training Program at the University of Arkansas at~~
31 ~~Little Rock, and the Black River Technical College Law Enforcement Training~~
32 ~~Academy are classified and designated as law enforcement officers after~~
33 ~~meeting minimum qualifications for law enforcement officers certification as~~
34 ~~established by the Arkansas Commission on Law Enforcement Standards and~~
35 ~~Training.~~ The following persons are classified and designated as law
36 enforcement officers after meeting minimum qualifications for law enforcement

1 officers' certification as established by the Arkansas Commission on Law
2 Enforcement Standards and Training:

3 (1) The Director of Law Enforcement Standards and Training;

4 (2) Employees of the commission appointed by the Director of Law
5 Enforcement Standards and Training as law enforcement officers;

6 (3) The Director of the Black River Technical College Law
7 Enforcement Training Academy; and

8 (4) Instructors of the Black River Technical College Law
9 Enforcement Training Academy.

10 (b)(1) ~~The personnel shall have and exercise~~ described in subsection
11 (a) of this section have all authority and functions of other law enforcement
12 officers in the State of Arkansas.

13 (2) ~~The personnel shall~~ described in subsection (a) of this
14 section have general law enforcement authority to cooperate with, assist, and
15 support local law enforcement officers in all law enforcement activities and
16 functions.

17 (c) The personnel described in subsection (a) of this section shall:

18 (1) Be credited with service toward maintaining and increasing
19 certification levels for time employed at the ~~Arkansas Law Enforcement~~
20 ~~Training Academy~~ commission and the Black River Technical College Law
21 Enforcement Training Academy; and

22 (2) Receive credit for years of law enforcement service for time
23 employed at the ~~Arkansas Law Enforcement Training Academy~~ commission, the
24 Arkansas Police Corps Training Program at the University of Arkansas at
25 Little Rock, or the Black River Technical College Law Enforcement Training
26 Academy upon employment as law enforcement officers elsewhere in the State of
27 Arkansas.

28 (d) ~~An Arkansas Law Enforcement Training Academy, Arkansas Police~~
29 ~~Corps Training Program at the University of Arkansas at Little Rock, or Black~~
30 ~~River Technical College Law Enforcement Training Academy instructor~~
31 ~~classified and designated as a law enforcement officer under this section~~ The
32 personnel described in subsection (a) of this section:

33 (1) ~~Is~~ Are not qualified to enroll in a different retirement
34 system because of ~~the classification or designation~~ their classification and
35 designation as law enforcement officers; and

36 (2) Shall not qualify for any benefit enhancement other than

1 that available under ~~his or her~~ their current retirement system.

2

3 SECTION 13. Arkansas Code § 12-9-205 is repealed.

4 ~~12-9-205. Approval of applications.~~

5 ~~Applications for attendance at the Arkansas Law Enforcement Training~~
6 ~~Academy shall be screened and approved as follows:~~

7 ~~(1) Applicants of the Department of Arkansas State Police shall~~
8 ~~be approved by the Arkansas State Police Commission;~~

9 ~~(2) Applications from sheriffs or deputy county sheriffs and~~
10 ~~constables shall be approved by the Executive Board of the Arkansas Sheriffs'~~
11 ~~Association; and~~

12 ~~(3) Applications from any officer of a municipal police~~
13 ~~department shall be approved by the Executive Committee of the Arkansas Peace~~
14 ~~Officers' Association.~~

15

16 SECTION 14. Arkansas Code § 12-9-208 is amended to read as follows:

17 12-9-208. State Capitol Police - Training course.

18 All members of the State Capitol Police shall satisfactorily complete
19 the training course for law enforcement officers at the Arkansas Law
20 Enforcement Training Academy within ~~twelve (12)~~ nine (9) months of their hire
21 date or any extension granted by the Arkansas Commission on Law Enforcement
22 Standards and Training.

23

24 SECTION 15. Arkansas Code § 12-9-210 is amended to read as follows:

25 12-9-210. Designated law enforcement agencies.

26 ~~(a) The Arkansas Law Enforcement Training Academy~~ The Arkansas
27 Commission on Law Enforcement Standards and Training, and the Black River
28 Technical College Law Enforcement Training Academy are designated as law
29 enforcement agencies.

30 ~~(b) The primary role of the Arkansas Law Enforcement Training Academy~~
31 ~~and the Black River Technical College Law Enforcement Training Academy is to~~
32 ~~conduct law enforcement training.~~

33

34 SECTION 16. Arkansas Code § 12-9-301(1), concerning the definition of
35 "auxiliary law enforcement officer", is amended to read as follows:

36 (1) "Auxiliary law enforcement officer" means a person who meets

1 the minimum standards and training requirements prescribed for ~~such~~ auxiliary
2 law enforcement officers by law and ~~regulations~~ rules, and who is appointed
3 by a political subdivision or a law enforcement agency as a reserve officer,
4 ~~volunteer officer, or mounted patrol~~, but does not include any law
5 enforcement officer or deputy county sheriff employed by a planned community
6 property owners' association;

7
8 SECTION 17. Arkansas Code § 12-9-302(7), concerning basic training
9 classes offered to law enforcement officers, is amended to read as follows:

10 (7) Exclude auxiliary law enforcement officers from the full-
11 time basic training classes sponsored and supported by the ~~Arkansas Law~~
12 ~~Enforcement Training Academy~~ commission;

13
14 SECTION 18. Arkansas Code § 12-9-304(f), concerning the number of
15 training hours required of a law enforcement officer, is amended to read as
16 follows:

17 (f) ~~It shall be the responsibility of the appointing law enforcement~~
18 ~~agency to provide or have provided~~ The appointing law enforcement agency
19 shall provide not less than ~~one hundred (100)~~ one hundred ten (110) hours of
20 commission-approved law enforcement training, which ~~will~~ shall include a
21 firearms qualification course equivalent to the firearms qualification
22 requirements for a full-time law enforcement officer, and ~~no~~ an auxiliary law
23 enforcement officer shall not bear ~~arms~~ a firearm until having successfully
24 completed the commission-approved law enforcement training.

25
26 SECTION 19. Arkansas Code § 12-9-306 is amended to read as follows:

27 12-9-306. Number restricted.

28 (a)(1) ~~Recognizing the need for limiting the number of auxiliary law~~
29 ~~enforcement officers in this state, a political subdivision may appoint up to~~
30 ~~twelve (12) auxiliary law enforcement officers regardless of the size of the~~
31 ~~law enforcement agency. Further, the~~ A political subdivision may appoint more
32 auxiliary law enforcement officers equal to the larger number of:

33 (A) Two (2) auxiliary law enforcement officers for each
34 full-time certified law enforcement officer employed by the appointing law
35 enforcement agency; or

36 (B) One (1) auxiliary law enforcement officer for each one

1 thousand (1,000) persons in the political subdivision as determined by the
2 latest official census.

3 (2)(A) However, if due to special or unusual problems or
4 circumstances, any political subdivision has a need for a greater number of
5 auxiliary law enforcement officers than is authorized in subdivision
6 (a)(1)(A) or subdivision (a)(1)(B) of this section, ~~it~~ the political
7 subdivision may make a request to the Arkansas Commission on Law Enforcement
8 Standards and Training for the additional auxiliary law enforcement officers.

9 (B) Each request under subdivision (a)(2)(A) of this
10 section shall state the special or unusual problems involved which justify
11 the request, the number of additional auxiliary law enforcement officers
12 requested, and such other information as the commission may require.

13 (C) If the commission finds that the public interest will
14 best be served by allowing the political subdivision to appoint the
15 additional auxiliary law enforcement officers requested, ~~it~~ the commission
16 may grant the request under subdivision (a)(2)(A) of this section.

17 (b) Honorary police officers without law enforcement authority are not
18 restricted in number by this section.

19 (c) *The limitation concerning the number of auxiliary law enforcement*
20 *officers allowed to be appointed by a law enforcement agency under this*
21 *section does not apply to additional auxiliary law enforcement officers*
22 *appointed by political subdivisions to serve as school resource officers or*
23 *search and rescue officers.*

24

25 SECTION 20. Arkansas Code § 12-9-401(2), concerning the definition of
26 "full-time law enforcement officer", is amended to read as follows:

27 (2) "Full-time law enforcement officer" means any county sheriff
28 or officer employed by a law enforcement agency who works forty (40) or more
29 hours per week ~~or any part-time law enforcement officer employed by a law~~
30 ~~enforcement agency who has met the selection and training requirements for~~
31 ~~full-time certified officers~~ and receives a salary from the law enforcement
32 agency;

33

34 SECTION 21. Arkansas Code § 12-9-402(7) and (8), concerning the powers
35 and duties of the Arkansas Commission on Law Enforcement Standards and
36 Training, are amended to read as follows:

1 (7) Exclude ~~part-time law enforcement officers and~~ honorary law
2 enforcement officers from training classes sponsored and supported by the
3 Arkansas Law Enforcement Training Academy for the training of radar operators
4 and radar instructors;

5 (8) Adopt rules and minimum standards for such schools and
6 courses which shall include, but not be limited to, establishing minimum:

7 (A) Basic ~~and refresher~~ training requirements which police
8 radar operators and police radar instructors ~~must~~ are required to
9 satisfactorily complete before being eligible for radar certification;

10 (B) Course attendance and equipment requirements; and

11 (C) Requirements for instructors;

12
13 SECTION 22. Arkansas Code § 14-362-109(16), concerning the powers of a
14 regional airport, is amended to read as follows:

15 (16)(A) To protect and police the airports of the authority, in
16 cooperation with the law enforcement agencies and officers having
17 jurisdiction in the area where the facilities of the authority are located,
18 and to appoint one (1) or more persons to be designated by the authority as
19 an authority law enforcement officer to aid and supplement the law
20 enforcement agencies of this state in the protection of the persons and
21 property of the authority, the authority's passengers, and the authority's
22 employees.

23 (B)(i) Each authority law enforcement officer shall have and
24 exercise throughout the property of the authority the power to make arrests
25 for the violations of any law on the property of the authority and to arrest
26 persons, whether on or off the authority's property, for the violation of any
27 law on the authority's property, under the same conditions under which other
28 law enforcement officers or other peace officers may by law make arrests and
29 shall have the authority to carry weapons for the reasonable purposes of the
30 office of authority policemen.

31 (ii) ~~Provided, however~~ However, each authority law
32 enforcement officer ~~shall be~~ is eligible for certification by the Arkansas
33 ~~Law Enforcement Training Academy~~ Arkansas Commission on Law Enforcement
34 Standards and Training and ~~shall also be~~ is also subject to the same
35 certification standards as other law enforcement officers, including time
36 limits for certification after being hired;

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SECTION 23. Arkansas Code § 20-64-1003(d), concerning the Arkansas Alcohol and Drug Abuse Coordinating Council, is amended to read as follows:

(d) The coordinating council shall develop training and education programs for criminal justice personnel in drug-related matters in conjunction with the ~~Arkansas Law Enforcement Training Academy~~ Arkansas Commission on Law Enforcement Standards and Training.

SECTION 24. Arkansas Code § 25-15-104(a)(1), concerning the boards and commissions that have subpoena power, is amended to add a new subdivision to read as follows:

(O) Arkansas Commission on Law Enforcement Standards and Training, § 12-9-101 et seq.

/s/Tosh

APPROVED: 03/15/2017