

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

As Engrossed: H1/26/21

A Bill

HOUSE BILL 1123

5 By: Representative M. Berry
6 By: Senator T. Garner
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING THE POWERS,
10 DUTIES, AND IMMUNITIES OF THE ORGANIZED MILITIA; AND
11 FOR OTHER PURPOSES.
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Subtitle

15 TO AMEND THE LAW CONCERNING THE POWERS,
16 DUTIES, AND IMMUNITIES OF THE ORGANIZED
17 MILITIA.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 12-61-112(a) and (b), concerning the
23 powers, duties, and immunities of the organized militia, is amended to read
24 as follows:

25 (a) Whenever ~~such forces or any part thereof~~ a member of the organized
26 militia shall be is ordered out for service of any kind, ~~they~~ he or she shall
27 have all powers, duties, and immunities of ~~peace officers~~ a law enforcement
28 officer of the State of Arkansas in addition to all powers, duties, and
29 immunities ~~now~~ otherwise provided by law.

30 (b) ~~No~~ An officer or enlisted personnel of ~~such forces~~ the organized
31 militia shall not be arrested on any warrant except for treason or felony
32 while going to, remaining at, or returning from a place where they are
33 ordered to attend *for military duty*.
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35 SECTION 2. Arkansas Code § 12-61-112(c), concerning the powers,
36 duties, and immunities of the organized militia is amended to read as



1 follows:

2 (c) Whenever any part of the organized militia of the state is on
3 active duty ~~pursuant to the~~ by order of the Governor in the enforcement of
4 the law or executing the orders of the Commander-in-Chief, the commanding
5 officer of ~~such~~ the troops may order the closing of any place where arms,
6 ammunition, dynamite, or other explosives are sold and restrict or forbid the
7 selling, bartering, lending, or giving away of any ~~such articles~~ arms,
8 ammunition, dynamite, or other explosives so long as any of the troops remain
9 on duty in ~~such~~ the place, or in the vicinity ~~where such~~ of where the place
10 may be located, whether any civil officer has forbidden the same or not.

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/s/M. Berry

APPROVED: 3/1/21