

1 State of Arkansas  
2 80th General Assembly  
3 Regular Session, 1995  
4 By: Representative Beatty

# A Bill

HOUSE BILL 1574

## For An Act To Be Entitled

"AN ACT TO AMEND ARK. CODE ANN. § 16-94-214 REGARDING  
ARREST WITHOUT WARRANT."

### Subtitle

"PRESIGNED WAIVER OF EXTRADITION."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Annotated § 16-94-214 is hereby amended to  
read as follows:

"(a) The arrest of a person may be lawfully made also by an officer or  
a private citizen without a warrant upon reasonable information that the  
accused stands charged in the courts of another state with a crime punishable  
by death or imprisonment for a term exceeding one (1) year; but when so  
arrested the accused must be taken before a judge or magistrate with all  
practicable speed and complaint must be made against him under oath setting  
forth the ground for the arrest as in the last section; and thereafter his  
answer shall be heard as if he had been arrested on a warrant.

(b) Notwithstanding any other law to the contrary, a law enforcement  
officer shall deliver a person in custody to the accredited agent or agents  
of a demanding state without the governor's warrant provided that:

(1) Such person is alleged to have broken the terms of his  
probation, parole, bail or any other release of the demanding state; and

(2) The law enforcement agency has received from the demanding  
state an authenticated copy of a prior waiver of extradition signed by such  
person as a term of his probation, parole, bail or any other release of the  
demanding state. The copy shall contain photographs, fingerprints or other  
evidence properly identifying such person as the person who signed the

1 waiver."

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3           SECTION 2. All provisions of this act of a general and permanent  
4 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
5 Code Revision Commission shall incorporate the same in the Code.

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7           SECTION 3. If any provision of this act or the application thereof to  
8 any person or circumstance is held invalid, such invalidity shall not affect  
9 other provisions or applications of the act which can be given effect without  
10 the invalid provision or application, and to this end the provisions of this  
11 act are declared to be severable.

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13           SECTION 4. All laws and parts of laws in conflict with this act are  
14 hereby repealed.

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