

1 State of Arkansas  
2 80th General Assembly  
3 Regular Session, 1995  
4 By: Representatives Roberts, Miller, Harris, Booker, J. Smith, Madison,  
5 Ammons, Stalnaker, D. Wood, and Flanagin

# A Bill

HOUSE BILL 1912

## For An Act To Be Entitled

"AN ACT TO REQUIRE LAW ENFORCEMENT OFFICERS DISCHARGED FOR  
MISCONDUCT TO REGISTER WITH THE ARKANSAS *COMMISSION ON LAW  
ENFORCEMENT STANDARDS AND TRAINING*; AND FOR OTHER  
PURPOSES."

## Subtitle

"TO REQUIRE LAW ENFORCEMENT OFFICERS  
DISCHARGED FOR MISCONDUCT TO REGISTER  
WITH THE ARKANSAS *COMMISSION ON LAW  
ENFORCEMENT STANDARDS AND TRAINING*"

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

SECTION 1. (a)(1) Any law enforcement officer who is discharged from  
the employ of any law enforcement department, office or agency because of  
misconduct shall be required to divulge that fact when applying for  
employment with any other law enforcement department, office, or agency and  
to register and provide certain information to the Arkansas *Commission on Law  
Enforcement Standards and Training* as provided for in this act.

(2)(A) The chief law enforcement officer of the department,  
office or agency shall explain the requirement to register and the procedure  
for registration to the discharged law enforcement officer and require the  
discharged law enforcement officer to sign a form which shall be prepared by  
the Arkansas *Commission on Law Enforcement Standards and Training* stating  
that the requirement and procedure have been explained.

(B) At the time of discharge, the chief law enforcement  
officer of the department, office or agency shall obtain the address where

1 the discharged law enforcement officer expects to reside and shall report the  
2 address to the *Arkansas Commission on Law Enforcement Standards and Training*.

3 (C) The chief law enforcement officer of the department,  
4 office or agency shall give one (1) copy of the form to the person and shall  
5 send two (2) copies to the *Arkansas Commission on Law Enforcement Standards*  
6 *and Training*, which shall then forward one (1) copy to the law enforcement  
7 agency having jurisdiction where the person expects to reside upon his  
8 discharge.

9 (b) Registration as required by this act shall consist of forwarding  
10 the following minimum information, as well as any other information required  
11 by the *Arkansas Commission on Law Enforcement Standards and Training* to the  
12 *Arkansas Commission on Law Enforcement Standards and Training* within three  
13 (3) days of discharge on a form which the *Arkansas Commission on Law*  
14 *Enforcement Standards and Training* shall design:

15 (1) Name;

16 (2) Date of birth;

17 (3) Name, address, and telephone number of law enforcement  
18 department, office or agency where employed when misconduct took place  
19 together with the name of the chief law enforcement officer and immediate  
20 supervisor;

21 (4) Date and description of misconduct on which the discharge  
22 was based;

23 (5) City or county where misconduct took place;

24 (6) A photograph;

25 (7) Fingerprints; and

26 (8) Social security number.

27 (c) The statements or any other information required by this act shall  
28 not be open to inspection by the public and specifically are not subject to  
29 the provisions of the Arkansas Freedom of Information Act, § 25-19-101 et  
30 seq., nor may this data be obtained from the *Arkansas Commission on Law*  
31 *Enforcement Standards and Training* by any person other than the chief law  
32 enforcement officer of a law enforcement department, office or agency, *who*  
33 *shall be required to check with the Arkansas Commission on Law Enforcement*  
34 *Standards and Training on all law enforcement officer applicants prior to*  
35 *employment*.

1 (d) Any person required to register under this act shall be required  
2 to register for a period of fifteen (15) years after discharge.

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4 *SECTION 2. Any law enforcement officer who has been discharged because*  
5 *of misconduct within the last fifteen (15) years from a law enforcement*  
6 *department, office, or agency in another state shall be required to divulge*  
7 *that fact on any employment application with a law enforcement department,*  
8 *office, or agency in this state.*

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10 **SECTION 3.** All provisions of this act of a general and permanent  
11 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
12 Code Revision Commission shall incorporate the same in the Code.

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14 **SECTION 4.** If any provision of this act or the application thereof to  
15 any person or circumstance is held invalid, such invalidity shall not affect  
16 other provisions or applications of the act which can be given effect without  
17 the invalid provision or application, and to this end the provisions of this  
18 act are declared to be severable.

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20 **SECTION 5.** All laws and parts of laws in conflict with this act are  
21 hereby repealed.

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*/s/Rep. Roberts, et al*

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***As Engrossed: 3/16/95***

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