

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

A Bill

SENATE BILL 641

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 16-81-106 TO
AUTHORIZE LAW ENFORCEMENT OFFICIALS OF THE STATE OF
ARKANSAS TO ACT, IN LIMITED INSTANCES, AS LAW ENFORCEMENT
OFFICERS IN THE STATE OF TEXAS; AND FOR OTHER PURPOSES."

Subtitle

"TO AMEND ARKANSAS CODE ANNOTATED
§ 16-81-106"

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

SECTION 1. Arkansas Code Annotated § 16-81-106 is amended by adding
the following new subsection:

"(h) Pursuant to Article 1.124 of the Texas Code of Criminal
Procedure, any certified law enforcement officer of the State of Arkansas or
law enforcement officer as is specified in subsection (g) of this section
shall be authorized to act as a law enforcement officer in the State of Texas
with the same power, duties, and immunities of a peace officer of the State
of Texas who is acting in the discharge of an official duty:

(1) During a time in which:

(A) The law enforcement officer from the State of Arkansas
is transporting an inmate or criminal defendant from a county in Arkansas
that is on the border of Texas to a hospital or other medical facility in a
county in Texas that is on the border between the two states. Transportation
to such a facility shall be for purposes including, but not limited to,
evidentiary testing of said inmate or defendant as is authorized pursuant to
laws of the State of Arkansas or medical treatment; or

(B) The law enforcement officer from the State of Arkansas

1 is returning the inmate or defendant from the hospital or facility in Texas
2 to an adjoining county in Arkansas; and

3 (2) To the extent necessary to:

4 (A) Maintain custody of the inmate or defendant while
5 transporting the inmate or defendant; or

6 (B) Retain custody of the inmate or defendant if the
7 inmate or defendant escapes while being transported."

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

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13 SECTION 3. If any provision of this act or the application thereof to
14 any person or circumstance is held invalid, such invalidity shall not affect
15 other provisions or applications of the act which can be given effect without
16 the invalid provision or application, and to this end the provisions of this
17 act are declared to be severable.

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

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