

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

As Engrossed: H2/12/97

A Bill

HOUSE BILL 1527

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5 *By: Representatives Schexnayder, Goodwin, Kidd, Bond, and D. Hudson*
6 *By: Senator Argue*

For An Act To Be Entitled

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10 "AN ACT TO AMEND ARKANSAS CODE § 13-2-805 TO AUTHORIZE
11 LIBRARIES TO ESTABLISH POLICIES REQUIRING PERSONS ENTERING
12 AND EXITING THE LIBRARIES TO OPEN AND DISCLOSE THE
13 CONTENTS OF ANY BAGS OR BRIEFCASES BEING CARRIED INTO THE
14 PREMISES; AND FOR OTHER PURPOSES."

Subtitle

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17 "TO AUTHORIZE LIBRARIES TO ESTABLISH
18 POLICIES REQUIRING PERSONS ENTERING THE
19 LIBRARIES TO OPEN AND DISCLOSE THE
20 CONTENTS OF ANY BAGS OR BRIEFCASES."

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

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24 SECTION 1. Arkansas Code § 13-2-805 is amended to read as follows:

25 "13-2-805. Reasonable detention and questioning to determine whether
26 offense was committed.

27 (a) If a person employed by a library or a person charged with the
28 supervision thereof with reason to believe that a person has committed or has
29 attempted to commit any offense under this subchapter or that the person has
30 concealed any library material upon his person or within his belongings, then
31 the person may be detained and questioned in a reasonable manner for the
32 purpose of ascertaining whether or not an offense has been committed.

33 (b) The detention and questioning shall not render such employee
34 civilly liable for slander, false arrest, false imprisonment, malicious
35 prosecution, unlawful detention, or otherwise, if the library employee or
36 person charged with the supervision of the library acts in good faith and in a
37 reasonable manner.

1 (c) For the purpose of ascertaining whether or not an offense has been
2 committed, libraries, museums, archives, and other depositories may establish
3 policies that require persons entering and exiting the premises wherein
4 library materials are maintained to open and disclose the contents of any
5 bags, purses, briefcases, and other containers which are being carried by or
6 are in the possession of the persons."

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

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

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

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/s/Rep. Schexnayder et al

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