

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

# A Bill

HOUSE BILL 2037

4  
5 By: Representatives Roberts, Malone, Wood, and Broadway

## For An Act To Be Entitled

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

## Subtitle

15 "TO REQUIRE LAW ENFORCEMENT OFFICERS  
16 DISCHARGED FOR MISCONDUCT TO REGISTER  
17 WITH THE ARKANSAS COMMISSION ON LAW  
18 ENFORCEMENT STANDARDS AND TRAINING"

19  
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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

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

34 (B) At the time of discharge, the chief law enforcement  
35 officer of the department, office or agency shall obtain the address where the  
36 discharged law enforcement officer expects to reside and shall report the

1 address to the Arkansas Commission on Law Enforcement Standards and Training.

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

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

14 (1) Name;

15 (2) Date of birth;

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

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

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

23 (6) A photograph;

24 (7) Fingerprints; and

25 (8) Social security number.

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

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

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

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

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

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