

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
4

As Engrossed: H3/18/97

A Bill

HOUSE BILL 2260

5 By: Representative Pollan
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For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 9-28-313(a) TO
10 ADD LANGUAGE CONCERNING TAKING INTO CUSTODY BASED ON
11 MEDICAL NEEDS; AND FOR OTHER PURPOSES."
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Subtitle

13 "AN ACT TO ADD A SUBSECTION TO THE
14 JUVENILE CODE AS TO TAKING CUSTODY."
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code Annotated § 9-27-313(a) is amended to read as
20 follows:

21 "9-27-313. Taking into custody.

22 (a) A juvenile may be taken into custody without a warrant prior to
23 service upon him of a petition and notice of hearing or order to appear as set
24 out under § 9-27-312, only:

25 (1) Pursuant to an order of the court under this subchapter;

26 (2) By a law enforcement officer without a warrant under
27 circumstances as set forth in Arkansas Rules of Criminal Procedure, Rule 4.1;
28 or

29 (3) By a law enforcement officer or by a duly authorized
30 representative of the Department of Human Services if there are clear,
31 reasonable grounds to conclude that the juvenile is in immediate danger and
32 that removal is necessary to prevent serious harm from his surroundings or
33 from illness or injury and if parents, guardians, or others with authority to
34 act are unavailable or have not taken action necessary to protect the juvenile
35 from the danger and there is not time to petition for and obtain an order of
36 the court prior to taking the juvenile into custody.

