1	State of Arkansas	As Engrossed: H3/18/97		
2	8 81st General Assembly	A Bill		
3	Regular Session, 1997		HOUSE BILL	2260
4				
5	By: Representative Pollan			
6				
7	,			
8	For A	n Act To Be Entitled		
9	"AN ACT TO AMEND ARKANSA	AS CODE ANNOTATED 6 9-28-313(a)) TO	
10	ADD LANGUAGE CONCERNING	TAKING INTO CUSTODY BASED ON		
11	MEDICAL NEEDS; AND FOR C	OTHER PURPOSES."		
12				
13		Subtitle		
14	"AN ACT TO ADI	D A SUBSECTION TO THE		
15	JUVENILE CODE	AS TO TAKING CUSTODY."		
16				
17	BE IT ENACTED BY THE GENERAL AS	SEMBLY OF THE STATE OF ARKANS	AS:	
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19		e Annotated $^{\circ}$ 9-27-313(a) is an	ended to read	l as
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21	j j			
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	, ,			
25	, ,	order of the court under this	-	
26		rcement officer without a warra		4 1 .
27		rkansas kuies of Criminal Prod	sedure, Rule 4	±.⊥;
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29		rement officer or by a duly au		
30				nd
31		-	_	
33			_	
34	from illness or injury and if parents, guardians, or others with authority to 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			
	the court prior to taking the j		Sali di Oldel	01
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1 (4) The department or law enforcement shall have the authority to 2 pursue any legal remedies, including the authority to initiate legal 3 proceedings in a court of competent jurisdiction, to prevent or remedy 4 withholding of medically indicated treatment or to provide medical care or 5 treatment for a child when such care or treatment is necessary to prevent or 6 remedy serious harm to the child or to prevent the withholding of medically 7 indicated treatment from a child with life threatening conditions. Except 8 with respect to the withholding of medically-indicated treatments from 9 disabled infants with life threatening conditions, case by case determinations 10 concerning the exercise of authority of this subsection shall be within the 11 sole discretion of the department or law enforcement." 12 13 SECTION 2. All provisions of this act of a general and permanent nature 14 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code 15 Revision Commission shall incorporate the same in the Code. 16 SECTION 3. If any provision of this act or the application thereof to 17 18 any person or circumstance is held invalid, such invalidity shall not affect 19 other provisions or applications of the act which can be given effect without 20 the invalid provision or application, and to this end the provisions of this 21 act are declared to be severable. 22 23 SECTION 4. All laws and parts of laws in conflict with this act are 24 hereby repealed. 25 /s/Rep. Pollan 26 27 2.8 29 30 31 32 33 34 35