

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Engrossed: H3/5/99 H3/10/99

A Bill

HOUSE BILL 1789

5 By: Representatives Milligan, Vess
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For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 12-9-106(e) TO PROVIDE
10 THAT LAW ENFORCEMENT OFFICERS EMPLOYED AS SUCH PRIOR
11 TO JANUARY 1, 1976, WHO ARE EXEMPT FROM FORMAL LAW
12 ENFORCEMENT OFFICER TRAINING REQUIREMENTS SHALL NOT
13 LOSE THEIR EXEMPT STATUS BECAUSE OF SUBSEQUENT
14 TERMINATION OF EMPLOYMENT; AND FOR OTHER PURPOSES. "

Subtitle

16 "TO PROVIDE THAT LAW ENFORCEMENT OFFICERS
17 WHO ARE EXEMPT FROM FORMAL TRAINING
18 REQUIREMENTS DO NOT LOSE THEIR EXEMPT
19 STATUS BECAUSE OF TERMINATION OF
20 EMPLOYMENT. "

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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code 12-9-106(e) is amended to read as follows:

27 "(e)(1) Law enforcement officers already serving under full-time
28 permanent appointment on December 31, 1977, shall not be required to meet the
29 requirements of subsections (a) and (b) of this section as a condition of
30 tenure or continued employment, nor shall failure of any such law enforcement
31 officer to fulfill the requirements make him ineligible.

32 (2) Law enforcement officers employed prior to January 1, 1976,
33 may continue their employment and participate in training programs on a
34 voluntary or assigned basis, but failure to meet standards shall not be
35 grounds for their dismissal or termination of employment, ~~although subsequent~~
36 Subsequent termination of employment, whether voluntary or involuntary, ~~will~~

1 ~~constitute a revocation of this exclusion status shall not result in~~
2 ~~revocation of this exclusion status but such officers shall have the same~~
3 ~~powers, privileges and rights and shall be subject to the same rules and~~
4 ~~restrictions as are applicable to officers whose certification is based on~~
5 ~~formal training.~~

6 (3) Personnel of law enforcement agencies whose status as to
7 coverage under this subchapter is questionable on December 31, 1977, but who
8 are subsequently determined to be subject thereto, shall have an effective
9 date of compliance enforcement as set by the commission; personnel employed
10 prior to that date shall be excluded from mandatory compliance therewith."

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12 SECTION 2. Any former sheriff of a county who served as sheriff within
13 that county for at least ten (10) years shall be deemed qualified to be
14 employed as a law enforcement officer for any municipality located within that
15 county, notwithstanding any law or regulation to the contrary.

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

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

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

29 /s/ Milligan, et al