

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

State of Arkansas  
83rd General Assembly  
Regular Session, 2001

As Engrossed: S3/27/01

## A Bill

HOUSE BILL 1716

By: Representative Hendren

### For An Act To Be Entitled

AN ACT TO AMEND ARKANSAS CODE 16-81-113 TO  
INCREASE THE NUMBER OF HOURS TO TWELVE THAT A LAW  
ENFORCEMENT OFFICER MAY MAKE A WARRANTLESS ARREST  
FOR DOMESTIC ABUSE *INVOLVING PHYSICAL ABUSE*; AND  
FOR OTHER PURPOSES.

### Subtitle

AN ACT TO AMEND ARKANSAS CODE 16-81-113  
TO INCREASE THE NUMBER OF HOURS TO  
TWELVE THAT A LAW ENFORCEMENT OFFICER  
MAY MAKE A WARRANTLESS ARREST FOR  
DOMESTIC ABUSE *INVOLVING PHYSICAL  
INJURY*.

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

SECTION 1. Arkansas Code 16-81-113(a), concerning warrantless arrests for domestic abuse, are amended to read as follows:

(a)(1) When a law enforcement officer has probable cause to believe a person has committed acts which constitute a crime under the laws of this state and which constitute domestic abuse as defined herein against a family or household member, the officer may arrest the person without a warrant if the law enforcement officer has probable cause to believe the person, within the preceding four (4) hours, twelve (12) hours for cases involving physical injury, as defined in § 5-1-102, has committed such acts even if the incident did not take place in the presence of the law enforcement officer.

(2) The arrest of the person shall be considered the preferred

1 action by the law enforcement officer when evidence indicates that domestic  
2 abuse has occurred in addition to a violation of the Arkansas Criminal Code, §  
3 5-1-101 et seq.

4 (3) Any law enforcement officer acting in good faith and  
5 exercising due care in making an arrest for domestic abuse shall have immunity  
6 from civil liability.

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8 /s/ Hendren  
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