

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.

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005

A Bill

HOUSE BILL 1326

4
5 By: Representative McDaniel
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For An Act To Be Entitled

9 AN ACT TO PROVIDE STATEWIDE AUTHORITY FOR THE
10 STATE CAPITOL POLICE; TO CREATE THE
11 CLASSIFICATION OF STATE CAPITOL POLICE ASSISTANT
12 CHIEF; TO AUTHORIZE THE ASSIGNMENT OF AN OFFICER
13 TO THE HOUSE OF REPRESENTATIVES; TO ALLOW THE
14 AWARD OF AN OFFICER'S PISTOL UPON RETIREMENT; AND
15 FOR OTHER PURPOSES.
16

Subtitle

17 AN ACT TO PROVIDE STATEWIDE AUTHORITY
18 FOR THE STATE CAPITOL POLICE; TO CREATE
19 THE CLASSIFICATION OF STATE CAPITOL
20 POLICE ASSISTANT CHIEF; AND TO AUTHORIZE
21 THE ASSIGNMENT OF AN OFFICER TO THE
22 HOUSE OF REPRESENTATIVES.
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25

26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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28 SECTION 1. Arkansas Code § 12-14-101 is amended to read as follows:
29 12-14-101. Establishment - Powers.

30 (a) The Secretary of State shall have the power to establish the State
31 Capitol Police, to organize the same, prescribe its duties and define its
32 powers in such a manner as will most effectually secure the citizens and
33 their property in and around the State Capitol.

34 (b)(1) The Secretary of State is authorized to designate and appoint
35 one (1) or more of his or her employees as State Capitol Police, who shall be
36 peace officers under the laws of the state and shall have and possess all the



1 powers provided by the law for state police, city police, and county sheriffs
 2 to be exercised as required for the protection of the State Capitol grounds,
 3 together with such other duties as may be assigned by the Secretary of State.

4 (2) Officers of the State Capitol Police shall have the
 5 authority to act in their official capacities and exercise their powers
 6 anywhere within the boundaries of the State of Arkansas.

7 (c) None of the present jurisdiction or powers of the state police,
 8 county police, or city police shall be ceded to the State Capitol Police over
 9 the land or property which constitutes the State Capitol grounds or within
 10 the boundaries of the State of Arkansas.

11
 12 SECTION 2. Arkansas Code § 12-14-102 is amended to read as follows:
 13 12-14-102. Duties - Authority.

14 (a) Except to the extent otherwise limited by the Secretary of State,
 15 State Capitol Police appointed pursuant to the authority contained in this
 16 chapter shall:

- 17 (1) Protect property;
- 18 (2) Preserve and maintain proper order and decorum;
- 19 (3) Prevent unlawful assemblies and disorderly conduct;
- 20 (4) Exclude and eject persons from and prevent trespass upon and
 21 in all of the State Capitol grounds and other grounds, buildings,
 22 improvements, streets, alleys, and sidewalks under control of the Secretary
 23 of State; and

24 (5) Have the authority to regulate the operation and parking of
 25 motor vehicles upon the State Capitol grounds and other grounds under control
 26 of the Secretary of State and upon all streets adjoining and traversing the
 27 State Capitol grounds, as long as it does not impede normal traffic patterns.

28 (b) The State Capitol Police officers shall have and exercise police
 29 supervision on behalf of the Secretary of State and are authorized as peace
 30 officers to arrest, with or without warrant, any person upon or in the areas
 31 described in this section or within the boundaries of the State of Arkansas
 32 who is or is reasonably believed to be committing an offense against any laws
 33 of the State of Arkansas or against the ordinances of the city wherein the
 34 State Capitol grounds are located, and to deliver such person before any
 35 court of competent jurisdiction to be dealt with according to law.

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1 SECTION 3. Arkansas Code § 12-14-106(c), pertaining to additional
 2 salary payments to and classifications of State Capitol Police, is amended to
 3 read as follows:

4 (c)(1) Employees shall be eligible for all or a portion of additional
 5 salary payments scheduled as follows:

6 (A) General certificate - three hundred dollars (\$300)
 7 annually;

8 (B) Intermediate certificate - six hundred dollars (\$600)
 9 annually;

10 (C) Advanced certificate - nine hundred dollars (\$900)
 11 annually; and

12 (D) Senior certificate - one thousand two hundred dollars
 13 (\$1,200) annually.

14 (2) Payment of such funds may be made monthly, quarterly,
 15 semiannually, or annually depending upon the availability of revenues and
 16 shall be restricted to the following classifications:

17 (A) State Capitol Police Chief;

18 (B) State Capitol Police Assistant Chief;

19 ~~(B)~~(C) State Capitol Police sergeant; and

20 ~~(C)~~(D) State Capitol Police corporal.

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 22 SECTION 4. Arkansas Code § 12-14-107 is amended to read as follows:

23 12-14-107. Assignment of officer to Senate and House of
 24 Representatives.

25 (a)(1) Upon request, one (1) member of the State Capitol Police shall
 26 be assigned to the Senate and one (1) member of the State Capitol Police
 27 shall be assigned to the House of Representatives.

28 (2)(A) The officer assigned to the Senate shall be selected by
 29 the Senate Efficiency chair or his or her designee in charge of security
 30 procedures for the Senate.

31 (B) The officer assigned to the House of Representatives
 32 shall be selected by the Speaker of the House of Representatives or his or
 33 her designee in charge of security procedures for the House of
 34 Representatives.

35 (b) The ~~officer~~ officers assigned under subsection (a) of this section
 36 shall remain a ~~full-time employee~~ full-time employees of the State Capitol

1 Police with accrued benefits and remain on duty with the State Capitol Police
2 when not on call with the Senate or the House of Representatives.

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4 SECTION 5. Arkansas Code Title 12, Chapter 14, Subchapter 1 is amended
5 to add an additional section to read as follows:

6 12-14-108. Award of pistol upon retirement.

7 When a State Capitol Police officer retires from service or dies while
8 still employed with the State Capitol Police, in recognition of and
9 appreciation for the service of the retiring or deceased officer, the
10 Secretary of State may award the pistol carried by the officer at the time of
11 his or her death or retirement from service to:

12 (1) The officer; or

13 (2) The officer's spouse, if the spouse is eligible under
14 applicable state and federal laws to possess a firearm.

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