

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
4

As Engrossed: H2/3/05
A Bill

HOUSE BILL 1326

5 By: Representative McDaniel
6
7

8 **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 ALLOW THE AWARD OF AN OFFICER'S PISTOL*
13 UPON RETIREMENT; AND FOR OTHER PURPOSES.
14

15 **Subtitle**

16 AN ACT TO PROVIDE STATEWIDE AUTHORITY
17 *FOR THE STATE CAPITOL POLICE; AND TO*
18 *CREATE THE CLASSIFICATION OF STATE*
19 *CAPITOL POLICE ASSISTANT CHIEF.*
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 12-14-101 is amended to read as follows:
25 12-14-101. Establishment - Powers.

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

30 (b)(1) The Secretary of State is authorized to designate and appoint
31 one (1) or more of his or her employees as State Capitol Police, who shall be
32 peace officers under the laws of the state and shall have and possess all the
33 powers provided by the law for state police, city police, and county sheriffs
34 to be exercised as required for the protection of the State Capitol grounds,
35 together with such other duties as may be assigned by the Secretary of State.

36 (2) Officers of the State Capitol Police shall have the



1 authority to act in their official capacities and exercise their powers
2 anywhere within the boundaries of the State of Arkansas.

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

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8 SECTION 2. Arkansas Code § 12-14-102 is amended to read as follows:
9 12-14-102. Duties - Authority.

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

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

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

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

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

36 (c)(1) Employees shall be eligible for all or a portion of additional

1 salary payments scheduled as follows:

2 (A) General certificate - three hundred dollars (\$300)
3 annually;

4 (B) Intermediate certificate - six hundred dollars (\$600)
5 annually;

6 (C) Advanced certificate - nine hundred dollars (\$900)
7 annually; and

8 (D) Senior certificate - one thousand two hundred dollars
9 (\$1,200) annually.

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

13 (A) State Capitol Police Chief;

14 (B) State Capitol Police Assistant Chief;

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

16 ~~(C)~~(D) State Capitol Police corporal.
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18 SECTION 4. Arkansas Code Title 12, Chapter 14, Subchapter 1 is amended
19 to add an additional section to read as follows:

20 12-14-108. Award of pistol upon retirement.

21 When a State Capitol Police officer retires from service or dies while
22 still employed with the State Capitol Police, in recognition of and
23 appreciation for the service of the retiring or deceased officer, the
24 Secretary of State may award the pistol carried by the officer at the time of
25 his or her death or retirement from service to:

26 (1) The officer; or

27 (2) The officer's spouse, if the spouse is eligible under
28 applicable state and federal laws to possess a firearm.
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30 /s/ McDaniel
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