

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

SENATE BILL 266

4  
5 By: Senator Madison  
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## For An Act To Be Entitled

9 AN ACT TO AUTHORIZE A COUNTY SHERIFF TO DEPUTIZE  
10 A CONSTABLE WHOSE TOWNSHIP IS WITHIN THE  
11 SHERIFF'S JURISDICTION; TO CLARIFY THE LAW  
12 ENFORCEMENT RESPONSIBILITIES OF CONSTABLES; AND  
13 FOR OTHER PURPOSES.  
14

## Subtitle

15 TO AUTHORIZE A COUNTY SHERIFF TO  
16 DEPUTIZE A CONSTABLE WHOSE TOWNSHIP IS  
17 WITHIN THE SHERIFF'S JURISDICTION AND TO  
18 CLARIFY THE LAW ENFORCEMENT  
19 RESPONSIBILITIES OF CONSTABLES.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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### SECTION 1. As used in this act:

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26 (1) "Certified law enforcement officer" means a person who has  
27 met the selection and training requirements for certification set by the  
28 Arkansas Commission on Law Enforcement Standards and Training and who is  
29 detached to, deputized, or commissioned by, or working in conjunction with or  
30 associated with a regular law enforcement agency; and

31 (2) "Regular law enforcement agency" means any police force or  
32 organization whose primary responsibility, as established by statute or  
33 ordinance, is the enforcement of the criminal, traffic, or highway laws of  
34 this state and which is staffed twenty-four (24) hours a day.  
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36 SECTION 2. (a) A sheriff may appoint, as a deputy sheriff, any



1 constable whose township lies within the county over which the sheriff has  
2 jurisdiction.

3 (b)(1) A constable who is appointed as a deputy sheriff shall be a  
4 certified law enforcement officer.

5 (2) After certification, a constable who is appointed as a  
6 deputy sheriff may exercise all the powers of a deputy sheriff.

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8 SECTION 3. (a) A constable who is engaged solely in administrative or  
9 civil duty is not required to be a certified law enforcement officer and may  
10 serve process in civil matters. A constable who is engaged solely in  
11 administrative or civil duty shall not have access to criminal history  
12 records through the Arkansas Crime Information Center.

13 (b) In order to exercise any authority, power, or duty concerning the  
14 criminal laws of the county or state, including access to criminal history  
15 records through the Arkansas Crime Information Center, a constable shall:

16 (1) Be a certified law enforcement officer; and

17 (2)(A) Work under the direct supervision of a designated on-  
18 duty, full-time certified law enforcement officer who is:

19 (i) Responsible for the conduct and performance of  
20 the constable; and

21 (ii) Employed by the regular law enforcement agency  
22 to which the constable is detached, deputized, commissioned, or associated.

23 (B) Direct supervision does not require the supervising  
24 law enforcement officer to be in the physical presence of the law enforcement  
25 officer being supervised.

26 (c) The office of constable shall not be considered a law enforcement  
27 agency.

28 (d) All authority, powers, or duties of constables not specifically  
29 addressed in this act are repealed.

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