

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: S3/23/05

A Bill

SENATE BILL 266

5 By: Senator Madison
6 By: Representatives Anderson, *Adams*
7

For An Act To Be Entitled

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9
10 AN ACT TO CLARIFY THE LAW ENFORCEMENT
11 RESPONSIBILITIES OF CONSTABLES; AND FOR OTHER
12 PURPOSES.
13

Subtitle

14
15 AN ACT TO CLARIFY THE LAW ENFORCEMENT
16 RESPONSIBILITIES OF CONSTABLES.
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20 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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23 (1) "Certified law enforcement officer" means a person who has
24 met the selection and training requirements for certification set by the
25 Arkansas Commission on Law Enforcement Standards and Training and who is
26 detached to, deputized, or commissioned by, or working in conjunction with or
27 associated with a regular law enforcement agency; and

28 (2) "Regular law enforcement agency" means any police force or
29 organization whose primary responsibility, as established by statute or
30 ordinance, is the enforcement of the criminal, traffic, or highway laws of
31 this state and which is staffed twenty-four (24) hours a day.
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33 SECTION 2. (a) A constable who is engaged solely in administrative or
34 civil duty is not required to be a certified law enforcement officer and may
35 serve process in civil matters. A constable who is engaged solely in
36 administrative or civil duty shall not have access to criminal history



1 records through the Arkansas Crime Information Center.

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

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

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

8 (i) Responsible for the conduct and performance of
9 the constable; and

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

12 (B) Direct supervision does not require the supervising
13 law enforcement officer to be in the physical presence of the law enforcement
14 officer being supervised.

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

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

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20 */s/ Madison*