

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 S3/30/05

A Bill

SENATE BILL 266

5 By: Senator Madison
6 By: Representative Adams
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For An Act To Be Entitled

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

14 AN ACT TO CLARIFY THE LAW ENFORCEMENT
15 RESPONSIBILITIES OF CONSTABLES.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. As used in this act:

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)(A) "Regular law enforcement agency" means any police force
29 or 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;

32 (B) "Regular law enforcement agency" shall not include the
33 office of constable.
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35 SECTION 2. (a) A constable who is engaged solely in administrative or
36 civil duty is not required to be a certified law enforcement officer and may



1 serve process in civil matters. A constable who is engaged solely in
2 administrative or civil duty shall not have access to criminal history
3 records through the Arkansas Crime Information Center.

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

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

8 (2)(A) Work under the direct supervision of a designated on-
9 duty, full-time or part-time I certified law enforcement officer who is:

10 (i) Responsible for the conduct and performance of
11 the constable; and

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

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

17 (c) If a constable is detached to, deputized or commissioned by, or
18 working in conjunction or associated with a municipal law enforcement agency,
19 the municipal law enforcement agency shall have no responsibility with regard
20 to payment for certification, training, or other continuing education of the
21 constable.

22 (d) The office of constable shall not be considered a law enforcement
23 agency.

24 (e) All authority, powers, or duties of constables not specifically
25 addressed in this act are repealed.

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27 /s/ Madison
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