

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 86th General Assembly  
3 Regular Session, 2007  
4

*As Engrossed: H3/2/07*  
**A Bill**

HOUSE BILL 1825

5 By: Representative Harrelson  
6  
7

8 **For An Act To Be Entitled**

9 AN ACT TO ALLOW PUBLIC SCHOOL DISTRICTS TO  
10 ESTABLISH CAMPUS POLICE DEPARTMENTS; TO AUTHORIZE  
11 TRAINING OF CAMPUS POLICE OFFICERS; AND FOR OTHER  
12 PURPOSES.  
13

14 **Subtitle**

15 TO ALLOW PUBLIC SCHOOL DISTRICTS TO  
16 ESTABLISH CAMPUS POLICE DEPARTMENTS AND  
17 TO AUTHORIZE TRAINING OF CAMPUS POLICE  
18 OFFICERS.  
19  
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 SECTION 1. Arkansas Code Title 6, Chapter 5 is amended to add an  
24 additional subchapter to read as follows:

25 SUBCHAPTER 7 – CAMPUS POLICE DEPARTMENTS  
26

27 6-5-701. Title.

28 This subchapter shall be known and may be cited as the "Arkansas Public  
29 School Law Enforcement Act".  
30

31 6-5-702. Definitions.

32 As used in this subchapter:

33 (1) "Campus" means the real property, buildings, and other  
34 improvements in this state locally owned, leased, rented, or controlled by a  
35 public school district;

36 (2) "Campus police officer" means an individual holding a



1 commission from and employed or contracted by a public school district under  
2 this subchapter;

3 (3) "Certification" means certification by the Arkansas  
4 Commission on Law Enforcement Standards and Training that an individual meets  
5 the prescribed minimum standards for employment established pursuant to law  
6 and rules of the Arkansas Commission on Law Enforcement Standards and  
7 Training;

8 (4) "Commission" means a certificate of appointment by the  
9 governing board of a public school district of an individual certified as a  
10 campus police officer;

11 (5) "Governing board" means the local school board of the public  
12 school district that determines management policy and has responsibility for  
13 the general government of the public school district; and

14 (6) "Public school district" means any public school district in  
15 the state serving students in a kindergarten through grade twelve (K-12)  
16 program or a grade one through grade twelve (1-12) program.

17  
18 6-5-703. Establishment – Jurisdiction.

19 (a)(1) A governing board of a public school district with a student  
20 population of at least one thousand five hundred (1,500) is authorized to  
21 establish a campus police department under this subchapter.

22 (2) A governing board of a public school district described in  
23 subdivision (a)(1) of this section may employ or contract with a campus  
24 police officer to work in a campus police department.

25 (b)(1) The jurisdiction of a campus police officer includes the  
26 highways, streets, roads, alleys, easements, and other public ways  
27 immediately adjacent to the campus or campuses of the public school district  
28 that employed or contracted with the campus police officer and any other  
29 areas authorized under § 6-5-706.

30 (2) The delineation of jurisdiction under subdivision (b)(1) of  
31 this section shall not limit the completion of any necessary law enforcement  
32 activities that began within the jurisdiction of the campus police officer or  
33 are in compliance with an agreement made under § 6-5-706.

34 (3)(A) In the absence of an agreement under § 6-5-706, only  
35 those law enforcement activities that began on the campus or campuses of the  
36 public school district that employed or contracted with the campus police

1 officer may be completed off campus.

2 (B) The law enforcement activities described in  
3 subdivision (b)(3)(A) of this section shall be:

4 (i) Completed in a timely manner; and

5 (ii) Coordinated with the local law enforcement  
6 agency having jurisdiction in the off-campus area.

7 (4)(A) A campus police officer shall have jurisdiction in other  
8 locations pursuant to an agreement authorized under § 6-5-706.

9 (B) An agreement under § 6-5-706 may authorize the  
10 executive head of a law enforcement agency to request assistance from a  
11 campus police officer pursuant to the agreement.

12 (5) A campus police officer shall have the same power,  
13 liability, and immunity as a sheriff or municipal police officer within the  
14 sheriff's or municipal police officer's jurisdiction.

15 (c) As limited by law, this subchapter, and the governing board of a  
16 public school district, a campus police officer shall have the authority to  
17 enforce a:

18 (1) State criminal statute;

19 (2) Federal law;

20 (3) Municipal ordinance; and

21 (4) Rule or regulation of the public school district employing  
22 or contracting with the campus police officer.

23 (d) As limited by law, this subchapter, and the governing board of a  
24 public school district, the campus police department shall have the same  
25 authority as a municipal police department.

26  
27 6-5-704. Requirements – Duties – Certification revocation.

28 (a) The governing board of a public school district may designate a  
29 uniform, a badge, and an insignia to be worn by a campus police officer and  
30 may designate an insignia to be displayed on a vehicle or on other equipment  
31 of a campus police department.

32 (b) A campus police department shall use the following words or  
33 phrases, alone or in any combination, in conjunction with the uniform, badge,  
34 and insignia, or on a vehicle utilized by the campus police department:

35 (1) Campus police;

36 (2) Campus public safety department;

1           (3) Campus police department;

2           (4) Campus public safety officer; or

3           (5) Any standardized title such as director, chief, captain,  
4 lieutenant, sergeant, corporal, or patrol officer.

5           (c)(1) Upon appointment, a campus police officer shall be given a  
6 commission and a photo identification that must be carried while on duty to  
7 evidence the campus police officer's appointment and authority.

8           (2) The form of the commission described in subdivision (c)(1)  
9 of this section shall be prescribed by the governing board of the public  
10 school district employing or contracting with the campus police officer.

11           (d) An individual who is not a campus police officer but is employed  
12 by a governing board of a public school district that has established a  
13 campus police department shall not be permitted to wear a uniform, a badge,  
14 or an insignia or receive a commission or a photo identification of the type  
15 provided to a campus police officer under this section.

16           (e)(1) The commission of a campus police officer may be suspended or  
17 revoked by the executive head of the public school district's campus police  
18 department for any reason.

19           (2) The Arkansas Commission on Law Enforcement Standards and  
20 Training may revoke or suspend certification for cause related to the campus  
21 police officer's inability to exercise the powers of the certification in the  
22 interest of public safety upon conviction of the campus police officer for  
23 any:

24                   (A) Felony;

25                   (B) Offense involving a minor as a victim;

26                   (C) Offense involving the possession, use, distribution,  
27 or sale of a controlled substance;

28                   (D) Offense involving a firearm, or

29                   (E) Offense involving moral turpitude.

30           (f) The certification of a campus police officer no longer employed by  
31 a governing board of a public school district, except a campus police officer  
32 who is retiring, shall be relinquished to the Arkansas Commission on Law  
33 Enforcement Standards and Training at the time of cessation of the campus  
34 police officer's employment.

35           (g)(1) When a certification or commission of a campus police officer  
36 is revoked or relinquished, the campus police department shall take

1 possession of the campus police officer's uniform, insignia, badge,  
2 identification card, and weapon issued to the campus police officer.

3 (2) Upon conviction, an individual who fails to relinquish his  
4 or her uniform, insignia, badge, identification card, or weapon upon  
5 cessation of employment under subdivision (g)(1) of this section is guilty of  
6 a Class A misdemeanor.

7 (h) A governing board of a public school district shall notify the  
8 Arkansas Commission on Law Enforcement Standards and Training when a campus  
9 police officer is commissioned or a commission is relinquished or revoked.

10 (i) The governing board of a public school district shall provide the  
11 Arkansas Commission on Law Enforcement Standards and Training with any  
12 available information requested by the Arkansas Commission on Law Enforcement  
13 Standards and Training regarding a commissioned campus police officer.

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15 6-5-705. Permissible alternatives.

16 This subchapter does not prohibit a governing board of a public school  
17 district from:

18 (1) Employing personnel licensed under the Private Investigators  
19 and Private Security Agencies Act, § 17-40-101 et seq.;

20 (2) Contracting with a municipality to authorize the local  
21 municipal police department of the municipality to provide security services;

22 (3) Contracting with a sheriff's department to authorize the  
23 sheriff's department to provide security services;

24 (4) Contracting with an individual certified law enforcement  
25 officer to provide security services;

26 (5) Employing any other person for the performance of safety or  
27 security duties for which the person is trained; or

28 (6) Hiring only public school district personnel limited to  
29 administration of the campus police department.

30  
31 6-5-706. Jurisdictional agreements.

32 (a) A municipality or county having overlapping or concurrent  
33 jurisdiction with a campus police department may enter into an agreement with  
34 the campus police department recognizing jurisdictional boundaries and  
35 providing for mutual assistance.

36 (b) An agreement described in subsection (a) of this section shall be

1 executed by the governing board of the public school district and the  
2 executive head of the municipal or county law enforcement agency.

3 (c) This subchapter shall not serve to prevent other law enforcement  
4 agencies from having concurrent or overlapping jurisdiction.

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6 6-5-707. Fines.

7 Criminal fines, penalties, fees, or penalty assessments imposed by a  
8 circuit court, district court, or city court under a state law or municipal  
9 ordinance as the result of an arrest or a citation issued by a campus police  
10 officer appointed under this subchapter shall be collected and distributed as  
11 required by law.

12  
13 6-5-708. Prosecution.

14 (a) The prosecuting attorney of the judicial district in which the  
15 unlawful conduct is alleged to have taken place shall have authority to  
16 prosecute the offense upon a complaint being signed by a campus police  
17 officer appointed under this subchapter.

18 (b) A violation of a municipal ordinance shall be prosecuted in a  
19 district court.

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21 SECTION 2. Arkansas Code § 12-9-102 is amended to read as follows:  
22 12-9-102. Definitions.

23 As used in this subchapter:

24 (1) "Commission" means the Arkansas Commission on Law  
25 Enforcement Standards and Training as established by § 12-9-103;

26 (2) "Law enforcement officer" means any appointed law  
27 enforcement officer who is responsible for the prevention and detection of  
28 crime and the enforcement of the criminal, traffic, or highway laws of this  
29 state, excluding only those officers who are elected by a vote of the people;  
30 and

31 (3) "Political subdivision" means any county, municipality,  
32 township, public school district under § 6-5-701 et seq., or other specific  
33 local unit of general government.

34  
35 SECTION 3. Arkansas Code § 12-9-107(a), concerning training programs  
36 of the Arkansas Commission on Law Enforcement Standards and Training, is

1 amended to read as follows:

2 (a) For the purpose of this subchapter, the Arkansas Commission on Law  
3 Enforcement Standards and Training may cooperate with federal, state, campus  
4 police departments under § 6-5-701 et seq., and local law enforcement  
5 agencies in establishing and conducting instruction and training programs for  
6 law enforcement officers of this state, its counties, public school  
7 districts, and municipalities.

8

9 SECTION 4. Arkansas Code § 12-9-205 is amended to read as follows:  
10 12-9-205. Approval of applications.

11 Applications for attendance at the Arkansas Law Enforcement Training  
12 Academy shall be screened and approved as follows:

13 (1) Applicants of the Department of Arkansas State Police shall  
14 be approved by the Arkansas State Police Commission;

15 (2) Applications from sheriffs or deputy sheriffs and constables  
16 shall be approved by the Executive Committee of the Arkansas Sheriffs  
17 Association; ~~and~~

18 (3) Applications from any officer of a municipal police  
19 department shall be approved by the Executive Committee of the Arkansas Peace  
20 Officers' Association; and

21 (4) Applications from a campus police officer under § 6-5-701 et  
22 seq. shall be approved by the governing board of the public school district  
23 that will employ or contract with the campus police officer.

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25 SECTION 5. Arkansas Code § 12-9-401 is amended to read as follows:  
26 12-9-401. Definitions.

27 As used in this subchapter:

28 (1) "Commission" means the Arkansas Commission on Law  
29 Enforcement Standards and Training as established by § 12-9-103;

30 (2) "Full-time law enforcement officer" means any sheriff or  
31 officer employed by a law enforcement agency or a campus police department  
32 under § 6-5-701 et seq. who works forty (40) or more hours per week or any  
33 part-time officer employed by a law enforcement agency who has met the  
34 selection and training requirements for full-time certified officers;

35 (3) "Law enforcement agency" means any police force or  
36 organization whose primary responsibility as established by statute or

1 ordinance is the enforcement of the criminal, traffic, or highway laws of  
2 this state, including a campus police department under § 6-5-701 et seq.;

3 (4) "Law enforcement officer" means any appointed law  
4 enforcement officer or sheriff who is responsible for the prevention and  
5 detection of crime and the enforcement of the criminal, traffic, or highway  
6 laws ~~of this~~ of this state;

7 (5) "Part-time law enforcement officer" means any officer  
8 working less than twenty (20) hours per week and receiving a salary from the  
9 employing law enforcement agency;

10 (6) "Police traffic radar" means any speed measurement device  
11 utilizing the Doppler principle or an infrared light system to measure the  
12 speed of motor vehicles; and

13 (7) "Political subdivision" means any county, municipality,  
14 township, public school district under § 6-5-701 et seq., or other specific  
15 local unit of general government.

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17 SECTION 6. Arkansas Code § 12-9-601 is amended to read as follows:  
18 12-9-601. Definitions.

19 For the purpose of this subchapter:

20 (1) "Commission" means the Arkansas Commission on Law  
21 Enforcement Standards and Training; and

22 (2) "Employing agency" means any state agency or any county,  
23 municipality, or other political subdivision of the state, including a public  
24 school district under § 6-5-701 et seq., or any agent thereof, which has  
25 constitutional or statutory authority to employ or appoint persons as law  
26 enforcement officers.

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28 /s/ Harrelson  
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