

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4
5 By: Representative Hall
6

As Engrossed: S3/14/11
A Bill

HOUSE BILL 1493

7 **For An Act To Be Entitled**

8 AN ACT REGARDING WHICH LAW ENFORCEMENT OFFICERS ARE
9 ALLOWED TO PATROL CONTROLLED-ACCESS FACILITIES; AND
10 FOR OTHER PURPOSES.
11

12
13 **Subtitle**

14 REGARDING WHICH LAW ENFORCEMENT OFFICERS
15 ARE ALLOWED TO PATROL CONTROLLED-ACCESS
16 FACILITIES.
17

18
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 12-8-106(h), regarding restrictions on
22 municipal police to patrol certain highways, is amended to read as follows:

23 (h)(1)(A) ~~Municipal police~~ The following law enforcement officers are
24 prohibited from patrolling controlled-access facilities except as may be
25 authorized by the director-;

26 (i) A municipal police officer;

27 (ii) An officer established under § 14-42-401 et

28 seq.;

29 (iii) A city marshal; and

30 (iv) A constable.

31 (B) The director may withdraw any previously issued
32 authorization ~~for municipal police~~ to patrol controlled-access facilities.

33 (C)(i) The director shall promulgate rules in accordance
34 with the Arkansas Administrative Procedure Act, § 25-15-201 et seq., to
35 establish criteria for granting or withdrawing authorization ~~for municipal~~
36 ~~police~~ to patrol controlled-access facilities.



1 (ii) In adopting the rules described in subdivision
 2 (h)(1)(C)(i) of this section, the director at a minimum shall take into
 3 consideration the following factors:

4 (a) Public safety;

5 (b) Training of the ~~municipal police law~~
 6 enforcement officers;

7 (c) Size of the ~~municipal police force law~~
 8 enforcement agency;

9 (d) Financial impact;

10 (e) Abuse of police power; and

11 (f) The types of roadways or highways that are
 12 controlled-access facilities for purposes of this section.

13 (2) ~~Municipal police~~ The following law enforcement officers may
 14 patrol any service roads that are within their jurisdiction situated adjacent
 15 to controlled-access facilities-;

16 (A) A municipal police officer;

17 (ii) An officer established under § 14-42-401 et seq.;

18 (C) A city marshal; and

19 (D) A constable.

20 (3) ~~Nothing in this~~ This subsection shall not prohibit a
 21 municipal police officer, an officer established under § 14-42-401 et seq., a
 22 city marshal, or a constable from responding to an accident or other
 23 emergency on a controlled-access facility.

24
 25 SECTION 2. Arkansas Code Title 12, Chapter 9, Subchapter 3 is amended
 26 to add a new section to read as follows:

27 12-9-309. Township officers [Effective January 1, 2012].

28 A township officer is an honorary police officer as defined in 12-9-
 29 301.

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 31 /s/Hall
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