

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

HOUSE BILL 2168

5 By: Representative Mayberry
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For An Act To Be Entitled

8 AN ACT TO CLARIFY THAT A LAW ENFORCEMENT OFFICER IN
9 CERTAIN CIRCUMSTANCES MAY ISSUE A CITATION FOR A
10 CLASS A MISDEMEANOR IN LIEU OF TRANSPORTING THE
11 PERSON TO JAIL FOR IDENTIFICATION; AND FOR OTHER
12 PURPOSES.
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Subtitle

15 TO CLARIFY THAT A LAW ENFORCEMENT OFFICER
16 IN CERTAIN CIRCUMSTANCES MAY ISSUE A
17 CITATION FOR A CLASS A MISDEMEANOR IN
18 LIEU OF TRANSPORTING THE PERSON TO JAIL
19 FOR IDENTIFICATION.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. DO NOT CODIFY. Legislative findings.

26 (a) The General Assembly finds that there is confusion among law
27 enforcement officers as to when a law enforcement officer can issue a
28 citation in lieu of transport to jail for fingerprinting and identification.

29 (b) The General Assembly further finds that a reference to Rule 5.2 of
30 the Arkansas Rules of Criminal Procedure is prudent to clarify the areas
31 causing confusion.
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33 SECTION 2. Arkansas Code § 12-12-1006 is amended to add a new
34 subsection to read as follows:

35 (m) This section does not abridge a law enforcement officer's
36 authority to issue a citation for a misdemeanor in lieu of arrest as set out



1 in Rule 5.2 of the Arkansas Rules of Criminal Procedure.

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