

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

As Engrossed: H3/14/13

A Bill

HOUSE BILL 1465

5 By: Representative E. Armstrong
6

For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING MUNICIPAL POLICE
9 CHIEFS; AND FOR OTHER PURPOSES.
10

Subtitle

11 TO AMEND THE LAW CONCERNING MUNICIPAL
12 POLICE CHIEFS.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code Title 14, Chapter 52, Subchapter 2 is amended
20 to read as follows:

21 Subchapter 2 -- ~~Cities of the First Class~~ Officers

22 14-52-201. Number of police officers.

23 The ~~city council in cities of the first class~~ governing body of a
24 municipality shall, by general ordinance, direct the number of subordinate
25 police officers to be appointed.
26

27 14-52-202. Powers and duties of police chiefs.

28 (a) The chief of police in ~~cities of the first class~~ a municipality
29 shall execute all process directed to him or her by the mayor and shall, by
30 himself or herself or by someone else on the police force, attend on the
31 sitting of the ~~police~~ district court to execute its orders and preserve order
32 therein.

33 (b)(1) The chief of police ~~shall have~~ has power to appoint one (1) or
34 more deputies from the police force, for whose official acts he or she ~~shall~~
35 ~~be~~ is responsible, and by whom he or she may execute all process directed to
36 him or her.



1 (2)(A) He or she shall have power, by himself or herself or by
2 deputy, to execute all ~~such~~ process in any part of the county in which the
3 ~~police~~ district court is situated or in which the ~~municipal~~ district court
4 *has jurisdiction.*

5 *(B) The person executing process under this subdivision*
6 *(b)(2) shall work in coordination with the sheriff for the unincorporated*
7 *areas of the county.*

8 (3) For serving city warrants only, the chief of police or his
9 or her deputies shall be entitled to the fees allowed to ~~the sheriffs a~~
10 sheriff under § 21-6-307 for similar services in similar cases.

11 (4) All fees collected by the police chief and his or her
12 deputies for similar services shall be ~~paid over to~~ deposited into the city
13 treasury.

14 (c) It ~~shall be~~ is the chief of police's duty to suppress all riots,
15 disturbances, and breaches of the peace. To that end he or she may call upon
16 the citizens to assist him or her to apprehend all persons in the act of
17 committing any offense against the laws of the state or the ordinances of the
18 city, and he or she shall bring them immediately before the proper authority
19 for examination or trial.

20 (d) The chief of police ~~shall have~~ has power to pursue or arrest any
21 person fleeing from justice in any part of the state and to receive and
22 execute any proper authority for arrest and detention of criminals fleeing or
23 escaping from any other place or state.

24 (e) The chief of police ~~shall have~~ has, in the discharge of his or her
25 proper duties, like powers, and ~~shall be~~ is subject to like responsibilities
26 as sheriffs and constables in similar cases, and ~~shall be~~ is required by the
27 city council to give a bond for the faithful performance of his or her
28 duties, in ~~such a~~ sum as ~~such the~~ council may require.

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30 14-52-203. Duties of police officers.

31 (a) In ~~cities of the first class a municipality~~, the duty of the chief
32 of police and other officers of the police department ~~shall be~~ is under the
33 direction of the mayor.

34 (b) It ~~shall be~~ is their duty to:

35 (1) ~~Suppress all riots, disturbances, and breaches a riot,~~
36 disturbance, or breach of the peace;

1 (2) Pursue and arrest ~~any~~ a person fleeing from justice in any
2 part of this state;

3 (3) Apprehend ~~any and all persons~~ a person in the act of
4 committing ~~any offenses~~ an offense against the laws of the state or the
5 ordinances of the city and forthwith bring the ~~persons~~ person before the
6 proper authority for trial or examination; and

7 (4) Diligently and faithfully enforce at all times all ~~such~~
8 laws, ordinances, and regulations for the preservation of good order and the
9 public welfare as the city council may ordain. For this purpose, ~~they shall~~
10 the chief of police and other officers of the police department have all the
11 power of constables.

12
13 14-52-204. Power to arrest.

14 In ~~cities of the first class~~ a municipality, the mayor or a police
15 officer of the city may, upon view, arrest ~~any~~ a person ~~who may be~~ whom he or
16 she has probable cause to believe is guilty of a breach of the ordinances of
17 the city or of ~~any~~ a crime against the laws of the state and may, upon
18 reasonable information supported by affidavit, procure process for the arrest
19 of ~~any~~ a person who may be charged with a breach of ~~any~~ an ordinance of the
20 city.

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22 /s/E. Armstrong
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