

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

# A Bill

HOUSE BILL 1198

5 By: Representative Lundstrum  
6 By: Senator J. Hendren  
7

## For An Act To Be Entitled

9 AN ACT TO ALLOW AN OUT-OF-STATE LAW ENFORCEMENT  
10 OFFICER TO FOLLOW A VEHICLE INTO ARKANSAS TO  
11 INVESTIGATE AN OFFENSE INVOLVING A VIOLENT CRIME, A  
12 FELONY, OR THE OPERATION OF A VEHICLE WHILE THE  
13 DRIVER IS INTOXICATED, IMPAIRED, OR UNDER THE  
14 INFLUENCE; AND FOR OTHER PURPOSES.  
15

## Subtitle

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18 TO ALLOW AN OUT-OF-STATE LAW ENFORCEMENT  
19 OFFICER TO FOLLOW A VEHICLE INTO ARKANSAS  
20 TO INVESTIGATE A VIOLENT CRIME, A FELONY,  
21 OR THE OPERATION OF A VEHICLE WHILE THE  
22 DRIVER IS INTOXICATED, IMPAIRED, OR UNDER  
23 THE INFLUENCE.  
24  
25

26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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28 SECTION 1. Arkansas Code § 16-81-403(1), concerning the definition of  
29 "fresh pursuit" under the Uniform Act on Interstate Fresh Pursuit, is amended  
30 to read as follows:

31 (1) "Fresh pursuit" shall include fresh pursuit as defined by the  
32 common law, and also the pursuit of a person who has committed a felony, a  
33 violent offense, or an offense of driving or operating a vehicle while  
34 intoxicated, impaired, or under the influence or who is reasonably suspected  
35 of having committed a felony, a violent offense, or an offense of driving or  
36 operating a vehicle while intoxicated, impaired, or under the influence. It



1 shall also include the pursuit of a person suspected of having committed a  
2 supposed felony, violent offense, or an offense of driving or operating a  
3 vehicle while intoxicated, impaired, or under the influence, though no  
4 felony, no violent offense, nor an offense of driving or operating a vehicle  
5 while intoxicated, impaired, or under the influence has actually been  
6 committed, if there is reasonable ground for believing that a felony, a  
7 violent offense, or an offense of driving or operating a vehicle while  
8 intoxicated, impaired, or under the influence has been committed. Fresh  
9 pursuit as used in this subchapter shall not necessarily imply instant  
10 pursuit, but pursuit without unreasonable delay;

11  
12 SECTION 2. Arkansas Code § 16-81-404 is amended to read as follows:

13 16-81-404. Member of duly organized peace unit of other state –  
14 Authority to arrest and hold.

15 Any member of a duly organized state, county, or municipal peace unit  
16 of another state of the United States who enters this state in fresh pursuit,  
17 and continues within this state in such fresh pursuit, of a person in order  
18 to arrest him on the ground that he is believed to have committed a felony, a  
19 violent offense, or an offense of driving or operating a vehicle while  
20 intoxicated, impaired, or under the influence in such other state shall have  
21 the same authority to arrest and hold such person in custody as has any  
22 member of any duly organized state, county, or municipal peace unit of this  
23 state to arrest and hold in custody a person on the ground that he is  
24 believed to have committed a felony, a violent offense, or an offense of  
25 driving or operating a vehicle while intoxicated, impaired, or under the  
26 influence in this state.