

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

*As Engrossed: H1/25/17*

# A Bill

HOUSE BILL 1198

5 By: Representatives Lundstrum, *Tosh, Beck, Bentley, Davis, Drown, Payton, Speaks, Sturch, Vaught, Jett,*  
6 *Lowery, Lynch, Maddox*

7 By: Senator J. Hendren  
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## For An Act To Be Entitled

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

18  
19 TO ALLOW AN OUT-OF-STATE LAW ENFORCEMENT  
20 OFFICER TO FOLLOW A VEHICLE INTO ARKANSAS  
21 TO INVESTIGATE A VIOLENT CRIME, A FELONY,  
22 OR THE OPERATION OF A VEHICLE WHILE THE  
23 DRIVER IS INTOXICATED, IMPAIRED, OR UNDER  
24 THE INFLUENCE.  
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27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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29 SECTION 1. Arkansas Code § 16-81-403(1), concerning the definition of  
30 "fresh pursuit" under the Uniform Act on Interstate Fresh Pursuit, is amended  
31 to read as follows:

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



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

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

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

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

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29 */s/Lundstrum*  
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