

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

HOUSE BILL 1813

5 By: Representative Pearce
6 By: Senator J. Payton
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW TO SUBSTITUTE "GAME WARDEN"
10 FOR "WILDLIFE OFFICER"; AND FOR OTHER PURPOSES.
11

Subtitle

12
13 TO AMEND THE LAW TO SUBSTITUTE "GAME
14 WARDEN" FOR "WILDLIFE OFFICER".
15
16

17
18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
19
20

21 SECTION 1. Arkansas Code § 5-39-305(d)(2), concerning criminal
22 trespass on premises located in an unincorporated area, is amended to read as
23 follows:

24 (2) A law enforcement officer or ~~wildlife officer~~ game warden
25 acting in the line of duty; or
26

27 SECTION 2. Arkansas Code § 5-71-228(d), concerning the unlawful
28 obstruction of shooting, hunting, fishing, or trapping activities, is amended
29 to read as follows:

30 (d) This section does not prevent ~~any wildlife officer~~ a game warden
31 or other law enforcement officer from performing his or her duties.
32

33 SECTION 3. Arkansas Code § 6-60-213(a)(1)(A)(iv), concerning reduced
34 tuition for certain police officers, is amended to read as follows:

35 (iv) A wildlife officer or game warden who has been
36 an employee of the Arkansas State Game and Fish Commission for ten (10) or



1 more years.

2
3 SECTION 4. Arkansas Code § 15-41-125(a)(1), concerning overtime
4 payments, is amended to read as follows:

5 (a)(1) If approved by the Director of the Arkansas State Game and Fish
6 Commission, the Arkansas State Game and Fish Commission may make overtime
7 payments to ~~wildlife officers~~ game wardens or other employees who are
8 currently assigned or may be assigned by the director or his or her designee
9 to special law enforcement task forces, special operations, or other special
10 programs reimbursable to the commission by federal or local authorities.

11
12 SECTION 5. Arkansas Code § 16-81-106(f), concerning the authority to
13 arrest, is amended to read as follows:

14 (f) ~~For purposes of~~ As used in this section, ~~the term~~ "certified law
15 enforcement officer" includes a full-time ~~wildlife officer~~ game warden of the
16 Arkansas State Game and Fish Commission so long as the ~~officer~~ game warden
17 shall not exercise his or her authority to the extent that any federal funds
18 would be jeopardized.

19
20 SECTION 6. Arkansas Code § 20-19-507 is amended to read as follows:
21 20-19-507. Inspection.

22 The possessor of a large carnivore shall allow an official of the
23 county sheriff's department, an animal control officer, an Arkansas State
24 Game and Fish Commission ~~Wildlife Officer~~ game warden, or a law enforcement
25 officer of the municipality or county where the large carnivore is kept to
26 enter the premises to ensure compliance with this subchapter.

27
28 SECTION 7. Arkansas Code § 20-19-601(2)(B), concerning the definition
29 of "law enforcement officer", is amended to read as follows:

30 (B) An Arkansas State Game and Fish Commission ~~wildlife officer~~
31 game warden;

32
33 SECTION 8. Arkansas Code § 21-4-405 is amended to read as follows:
34 21-4-405. Payment of accrued leave to estate of wildlife officer or
35 game warden.

36 (a) The Arkansas State Game and Fish Commission may pay all accrued

1 and unused annual, holiday, and sick leave to the estate of a wildlife
2 officer or game warden who dies in the line of duty.

3 (b) A payment under subsection (a) of this section is subject to
4 budgetary constraints and shall be disbursed after receipt of the official
5 death certificate.

6
7 SECTION 9. Arkansas Code § 21-5-701(3), concerning the definition of
8 "covered public employee", is amended to read as follows:

9 (3) "Covered public employee" means a police officer,
10 firefighter, state highway employee, state correction employee, Division of
11 Community Correction employee, jailer, qualified emergency services worker,
12 wildlife enforcement officer or game warden, emergency medical technician,
13 Arkansas Forestry Commission employee, commissioned law enforcement
14 personnel, member of the Arkansas National Guard on state active duty, or
15 emergency response personnel of the Department of Parks, Heritage, and
16 Tourism;

17
18 SECTION 10. Arkansas Code § 21-5-701(12), concerning the definition of
19 "wildlife enforcement officer", is amended to read as follows:

20 (12) "Wildlife enforcement officer" or "game warden" means
21 an employee of the Arkansas State Game and Fish Commission who actively
22 engages, on a full-time or part-time basis, in the enforcement of the boating
23 safety laws and regulations enacted for the protection of game, fish, fur-
24 bearing animals, and other wildlife of the State of Arkansas.

25
26 SECTION 11. Arkansas Code § 21-5-705(a)(1), concerning the payment of
27 a claim to designated beneficiaries or survivors of public employees killed
28 in the line of duty, is amended to read as follows:

29 (1) Police officer, wildlife enforcement officer or game warden,
30 commissioned law enforcement officer or emergency response employee of the
31 Department of Parks, Heritage, and Tourism, Division of Community Correction
32 employee, employee of the Division of Correction, jailer, or coroner whose
33 death occurred:

34 (A) After January 1, 2003; and

35 (B) Either:

36 (i) In the official line of duty as the result of a

1 criminal or negligent action of another person or persons or as the result of
2 the engagement in exceptionally hazardous duty; or

3 (ii) In the line of duty while the officer or
4 employee was performing emergency medical activities;

5
6 SECTION 12. Arkansas Code § 21-5-705(b), concerning payment of an
7 additional sum to a qualified recipient of certain public employees killed in
8 the line of duty, is amended to read as follows:

9 (b) In addition to the benefits provided for in subsection (a) of this
10 section, the state shall pay the additional sum of twenty-five thousand
11 dollars (\$25,000) to the qualified recipient of any police officer, wildlife
12 enforcement officer or game warden of the Arkansas State Game and Fish
13 Commission, commissioned law enforcement officer of the Department of Parks,
14 Heritage, and Tourism, Division of Community Correction employee, or employee
15 of the Division of Correction:

16 (1) Who was wearing a bulletproof vest approved by the Director
17 of the Department of Arkansas State Police or the Director of the Division of
18 Arkansas State Police; and

19 (2) Whose death occurred:

20 (A) After July 1, 1989; and

21 (B) In the official line of duty as the result of a
22 criminal action of another person or persons.

23
24
25
26
27
28
29
30
31
32
33
34
35
36