

State of Arkansas
91st General Assembly
Regular Session, 2017

A Bill

HOUSE BILL 1431

By: Representative Tosh

For An Act To Be Entitled

AN ACT CONCERNING A NEW OR INACTIVE LAW ENFORCEMENT
AGENCY; AND FOR OTHER PURPOSES.

Subtitle

CONCERNING A NEW OR INACTIVE LAW
ENFORCEMENT AGENCY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 12, Chapter 9, Subchapter 1, is amended to add an additional section to read as follows:

12-9-118. New or inactive law enforcement agency – Approval by commission required – Definition.

(a) As used in this section, "inactive law enforcement agency" means a law enforcement agency that existed and operated under a local ordinance in the past but that currently does not exist or has not operated for at least one (1) year.

(b) The chief executive officer of an entity authorized by ordinance to create a new law enforcement agency or reactivate an inactive law enforcement agency shall appear before the Arkansas Commission on Law Enforcement Standards and Training to request the creation of the new law enforcement agency or reactivation of the inactive law enforcement agency and present the ordinance and documentation regarding:

(1) The funding mechanism, funding source or sources, and current budget proposal for the law enforcement agency;

(2) The proposed or enacted law enforcement agency policies, including without limitation policies regarding:



- (A) Use of force;
 - (B) Vehicle pursuit;
 - (C) Professional conduct of law enforcement officers to be employed by the law enforcement agency; and
 - (D) Biased-based policing;
- (3) The administrative structure and organizational chart of the law enforcement agency; and
- (4) Any other information or documentation required by the commission.
- (c) After the appearance and presentation under subsection (b) of this section, the commission shall approve or disapprove the request to create the new law enforcement agency or reactivate the inactive law enforcement agency.

APPROVED: 03/06/2017