

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
89th General Assembly
Regular Session, 2013

As Engrossed: H3/14/13
A Bill

HOUSE BILL 1465

By: Representative E. Armstrong

For An Act To Be Entitled

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

Subtitle

TO AMEND THE LAW CONCERNING MUNICIPAL
POLICE CHIEFS.

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

SECTION 1. Arkansas Code Title 14, Chapter 52, Subchapter 2 is amended to read as follows:

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

14-52-201. Number of police officers.

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

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

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

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



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

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

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

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

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

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

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

14-52-203. Duties of police officers.

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

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

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

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

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

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

14-52-204. Power to arrest.

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

/s/E. Armstrong