

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

State of Arkansas  
89th General Assembly  
Regular Session, 2013

# A Bill

HOUSE BILL 1566

By: Representatives Lea, Slinkard  
By: Senator Holland

## For An Act To Be Entitled

AN ACT TO IMPROVE TRAINING FOR COUNTY OFFICERS; TO INCREASE FUNDS AVAILABLE FOR CONTINUING EDUCATION FOR COUNTY CLERKS, CIRCUIT CLERKS, COUNTY TREASURERS, AND COUNTY COLLECTORS; TO ESTABLISH CONTINUING EDUCATION PROGRAMS FOR CORONERS; TO ESTABLISH A MASS FATALITY MUTUAL AID AGREEMENT; TO ESTABLISH THE CORONER'S EDUCATION, TRAINING, AND CERTIFICATION FUND; AND FOR OTHER PURPOSES.

## Subtitle

TO IMPROVE TRAINING FOR COUNTY CLERKS; CIRCUIT CLERKS, COUNTY TREASURERS, COUNTY COLLECTORS, AND CORONERS; AND TO ESTABLISH A CORONER'S TRAINING FUND.

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

SECTION 1. Arkansas Code § 26-60-112(b)(1), concerning the disposition of fees collected on deeds, instruments, and writings, is amended to read as follows:

(b) The revenues derived from the tax levied by § 26-60-105(a) shall be deposited by the Director of the Department of Finance and Administration into the State Treasury, and the Treasurer of State after deducting three percent (3%) of the revenues for distribution to the Constitutional Officers Fund and the State Central Services Fund to be used for the purposes as provided by law shall distribute the net amount of the revenues as follows:



(1) Ten percent (10%) of the remainder shall be distributed as special revenues, as follows:

(A) The first ~~ninety thousand dollars (\$90,000)~~ one hundred fifty-seven thousand five hundred dollars (\$157,500) of the remainder during each fiscal year shall be credited to the ~~County and Circuit Clerks Continuing Education Fund~~ County Clerks Continuing Education Fund, the Circuit Clerks Continuing Education Fund by Acts and the County Coroners Continuing Education Fund ~~which is~~ that are established in the State Treasury, to be used for defraying the expenses of training seminars and other educational projects benefiting county and circuit clerks and coroners in this state, as provided by appropriations enacted by the General Assembly and shall be used as follows:

(i)(a) ~~Forty-five thousand dollars (\$45,000)~~ Fifty-two thousand five hundred dollars (\$52,500) for county clerks' continuing education.

(b) Any unexpended balances of moneys designated for county clerks' continuing education shall be retained exclusively for the purpose of county clerks' continuing education; ~~and~~

(ii)(a) ~~Forty-five thousand dollars (\$45,000)~~ Fifty-two thousand five hundred dollars (\$52,500) for circuit clerks' continuing education.

(b) Any unexpended balances of moneys designated for circuit clerks' continuing education shall be retained exclusively for the purpose of circuit clerks' continuing education; and

(iii)(a) Fifty-two thousand five hundred dollars (\$52,500) for county coroners' continuing education.

(b) Any unexpended balances of moneys designated for county coroners' continuing education shall be retained exclusively for the purpose of county coroners' continuing education; and

SECTION 2. Arkansas Code § 12-9-104 is amended to read as follows:  
12-9-104. Commission's powers generally.

In addition to powers conferred upon the Arkansas Commission on Law Enforcement Standards and Training elsewhere in this subchapter, the commission may:

(1)(A) Promulgate rules ~~and regulations~~ for the administration

of this subchapter.

(B) The rules ~~and regulations~~ promulgated by the commission shall not go into full force and effect until the commission seeks the advice of the Legislative Council and the House Committee on Public Health, Welfare, and Labor and the Senate Committee on Public Health, Welfare, and Labor or appropriate subcommittees of the Legislative Council and the House Committee on Public Health, Welfare, and Labor and the Senate Committee on Public Health, Welfare, and Labor;

(2) Require the submission of reports and information by police departments within this state;

(3)(A)(i) Establish minimum selection and training standards for admission to employment as a law enforcement officer.

(ii) The minimum selection and training standards may take into account different requirements for urban and rural areas, full-time and part-time employment, and specialized police personnel.

(B) However, the minimum selection and training standards for admission to employment as a law enforcement officer shall not apply to volunteer police auxiliary officers, to volunteer officers of county sheriffs' mounted patrols, and to honorary police officer commissions issued by appropriate police authority;

(4) Establish minimum curriculum requirements for preparatory, in-service, and advanced courses and programs of schools operated by or for the state and political subdivisions for the specific purpose of training recruits ~~for~~ as law enforcement officers;

(5) Consult and cooperate with counties, municipalities, agencies of this state, other governmental agencies, and with universities, colleges, junior colleges, community colleges, and other institutions or organizations concerning the development of police training schools and programs or courses of instruction;

(6) Approve institutions and facilities to be used by or for the state or any political subdivision of the state for the specific purpose of training law enforcement officers and recruits;

(7) Adopt rules and minimum standards for schools, ~~which shall include, but not be limited to, the following~~ including without limitation:

(A) The curriculum for:

(i) Probationary police officers, which shall be

offered by all certified schools, ~~and which shall include, but shall not be limited to~~ including without limitation, courses on:

- (a) Accident investigation;
- (b) Arrest;
- (c) Civil rights;
- (d) Court testimonies;
- (e) Criminal law;
- (f) Firearms training;
- (g) First aid;
- (h) Handling of juvenile offenders;
- (i) Human relations;
- (j) Law of criminal procedure;
- (k) Law of evidence;
- (l) Physical training;
- (m) Race relations and sensitivity;
- (n) Recognition of mental conditions ~~which~~

that require immediate assistance and methods to safeguard and provide assistance to a person in need of mental treatment;

- (o) Reports;
- (p) Search and seizure;
- (q) Statements;
- (r) Techniques of obtaining physical evidence;
- (s) Traffic control; and
- (t) Vehicle and traffic law; and

(ii) Permanent police officers, ~~which shall include, but shall not be limited to,~~ including without limitation refresher and in-service training in:

- (a) Any of the courses listed in subdivision (7)(A)(i) of this section;
- (b) Advanced courses in any of the subjects listed in subdivision (7)(A)(i) of this section;
- (c) Training for supervisory personnel; and
- (d) Specialized training in subjects and fields to be selected by the board;

(B) Minimum courses of study, attendance requirements, and equipment requirements;

- (C) Minimum requirements for instructors; and
- (D) Minimum basic training requirements ~~which~~ that a probationary police officer must satisfactorily complete before being eligible for permanent employment as a law enforcement officer;
- (8) Make and encourage studies of any aspect of police administration;
- (9) Conduct and stimulate research by public and private agencies designed to improve police administration and law enforcement;
- (10) Make recommendations concerning matters within its purview pursuant to this subchapter;
- (11) Make evaluations as may be necessary to determine if governmental units are complying with ~~the provisions of~~ this subchapter;
- (12) Adopt and amend bylaws, consistent with law, for ~~its~~ the commission's internal management and control;
- (13) Enter into contracts or do such things as may be necessary and incidental to the administration of this subchapter;
- (14) Facilitate training of certified law enforcement officers pursuant to a memorandum of understanding between the State of Arkansas and the United States Department of Justice or the ~~United States~~ Department of Homeland Security concerning the enforcement of federal immigration laws;
- (15) In consultation with the Arkansas Association of Chiefs of Police, develop and implement suggested selection and training requirements and nonmandatory basic and advanced levels of certification for chiefs of police; ~~and~~
- (16) In consultation with the Arkansas Sheriffs' Association, develop and implement suggested training requirements and nonmandatory basic and advanced levels of certification for county sheriffs; and
- (17) Adopt rules to implement §§ 14-15-309 and 19-6-819.

SECTION 3. Arkansas Code § 14-15-811(c)(2)(A), concerning continuing education through the County Treasurer's Continuing Education Board, is amended to read as follows:

(2)(A) The quorum court of each county shall annually appropriate and pay into the fund in the State Treasury the sum of ~~six hundred dollars (\$600)~~ seven hundred dollars (\$700) from fees of the office of county treasurer.

SECTION 4. Arkansas Code § 14-15-1001(c)(1)(B), concerning continuing education through the County Collector's Continuing Education Board, is amended to read as follows:

(B) The quorum court of each county shall annually appropriate and pay into the fund in the State Treasury the sum of ~~six hundred dollars (\$600)~~ seven hundred dollars (\$700) from fees of the office of county collector.

SECTION 5. Arkansas Code Title 14, Chapter 15, Subchapter 3, is amended to add two additional sections to read as follows:

14-15-308. Training and instruction.

(a) The Arkansas Commission on Law Enforcement Standards and Training, in coordination with the Department of Health, shall establish a training curriculum for medicolegal death investigators, coroners, and deputy coroners in Arkansas that consists of no less than sixteen (16) hours nor more than forty (40) hours of instruction, including without limitation courses on:

- (1) Courses on medicolegal death investigation leading to certification as a medicolegal death investigator;
- (2) Scene investigation;
- (3) Body recovery;
- (4) Safety;
- (5) Statutes and rules;
- (6) Documentation and reporting;
- (7) Communication and interviewing; and
- (8) Proper completion of a death certificate and assignment of cause of death.

(b) The commission shall:

(1) Issue a certificate of satisfactory participation and completion to a coroner, deputy coroner, or medicolegal death investigator who completes the instructional program required under subsection (a) of this section; and

(2)(A) Administer the funds for the payment and reimbursement for materials, speakers, mileage, lodging, meals, the cost of the certificate, and training equipment that are in addition to compensation allowed under §§ 14-14-1203, 14-14-1204, and 14-14-1206.

(B) The commission may receive funding for coroner

training through grants in aid, donations, and the County Coroners Continuing Education Fund.

(c) The commission shall provide death investigation training:

(1) Free of charge to a law enforcement officer, a state death investigator, and an employee of the State Crime Laboratory; and

(2) For a fee under a memorandum of understanding between the commission and the Coroner's Association to coroners and deputy coroners.

14-15-309. Mass fatality resource inventory and mutual aid agreement.

(a) As used in this section:

(1) "Fixed assets" means items that are permanently located but can be made available for use, including without limitation:

(A) Office space;

(B) Body refrigeration units;

(C) Personnel rehabilitation areas; and

(D) Equipment storage facilities;

(2) "Mobile assets" means items that can be transported to an affected area, including without limitation:

(A) Personal protective equipment such as masks, tyvek suits, gloves, boots, environmental protection, and hazards protection;

(B) Investigative equipment such as cameras, measuring devices, collection bags, and labeling devices;

(C) Body recovery equipment such as sheets, body bags, ropes, boards, and stretchers;

(D) Administrative equipment for the purposes of data recording, financial management, and records preservation; and

(E) Vehicular equipment such as cars, trucks, vans, trailers, and boats; and

(3) "Personnel assets" means:

(A) Coroners, deputy coroners, and medicolegal death investigators; and

(B) Other individuals or entities that possess specialized skills necessary for the comprehensive investigation of deaths in a mass fatality incident.

(b)(1) The Department of Health may enter into a mass fatality resource inventory and mutual aid agreement among coroners in this state.

(2) A mass fatality resource inventory and mutual aid agreement under this section is effective when signed by the county judge in a county in which a coroner enters into an agreement under subdivision (b)(1) of this section.

(3) A mass fatality resource inventory and mutual aid agreement under this section may provide for the sharing of fixed assets, mobile assets, and personnel assets.

(c) The signatures of the county judge and the coroner are necessary for a county to pledge its deputies, equipment, and resources to the mass fatality mutual aid agreement.

(d) Only a coroner, deputy coroner, or medicolegal death investigator who receives documentation reflecting satisfactory participation and completion from the commission and is in good standing under this section may be allocated for assignment and duty in the mass fatality resource inventory and mutual aid agreement.

(e) The Department of Health shall maintain records of coroners, deputy coroners, and medicolegal death investigators who have received training and certificates of course completion under this section from the Arkansas Commission on Law Enforcement Standards and Training.

SECTION 6. Arkansas Code § 19-6-301, concerning the enumeration of special revenues, is amended to add an additional subdivision to read as follows:

(246) The first designated portion of real estate transfer taxes for the continuing education of county coroners under §§ 26-60-105 and 26-60-112.

SECTION 7. Arkansas Code Title 19, Chapter 6, Subchapter 8, is amended to add an additional section to read as follows:

19-6-819. County Coroners Continuing Education Fund.

(a) There is created on the books of the Treasurer of State, Auditor of State, and Chief Fiscal Officer of the State a special revenue fund to be known as the "County Coroners Continuing Education Fund".

(b)(1) The fund shall consist of those special revenues as specified in § 19-6-301(246).

(2) The fund shall also consist of any other revenues as may be

authorized by law.

(c) The fund shall be used for defraying the expenses of training seminars and other educational projects benefiting county coroners in this state as set out in § 14-15-308, §§ 16-20-105 and 16-20-110, and § 26-60-101 et seq.