

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: H3/15/13
A Bill

HOUSE BILL 1857

By: Representatives Shepherd, Copenhaver, *Jett, Wardlaw, Baine, Hickerson, Richey, Kizzia, Steel, Fielding*

By: Senators Maloch, J. Hutchinson, B. Pierce, S. Flowers, D. Wyatt

For An Act To Be Entitled

AN ACT TO AMEND THE SPECIAL LICENSE PLATE ACT OF 2005 CONCERNING THE AUTHORIZATION AND ISSUANCE OF SPECIAL LICENSE PLATES FOR AND IN SUPPORT OF LAW ENFORCEMENT; TO AUTHORIZE FOR ISSUANCE A CERTIFIED LAW ENFORCEMENT LICENSE PLATE TO BE ISSUED TO ELIGIBLE LAW ENFORCEMENT OFFICERS; TO AUTHORIZE FOR ISSUANCE A SUPPORT LAW ENFORCEMENT LICENSE PLATE; TO AUTHORIZE FOR ISSUANCE AN ARKANSAS SHERIFF'S ASSOCIATION LICENSE PLATE; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE SPECIAL LICENSE PLATE ACT OF 2005 CONCERNING THE AUTHORIZATION AND ISSUANCE OF SPECIAL LICENSE PLATES FOR AND IN SUPPORT OF LAW ENFORCEMENT.

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

SECTION 1. Arkansas Code Title 19, Chapter 6, Subchapter 8, is amended to add an additional section to read as follows:

19-6-819. Fallen Law Enforcement Officers' Beneficiary Fund.

(a) There is created on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a special revenue fund to be known as the "Fallen Law Enforcement Officers' Beneficiary Fund".

(b) The fund shall consist of such revenues as may be authorized by



law.

(c) The fund shall be used by the Arkansas Commission on Law Enforcement Standards and Training to provide such support and assistance to beneficiaries of fallen law enforcement officers as determined to be appropriate by the commission.

SECTION 2. Arkansas Code § 27-24-1302 is amended to add an additional subsection to read as follows:

(6)(A) "Certified law enforcement officer" means any appointed or elected law enforcement officer or county sheriff employed by a law enforcement agency who:

(i) Is responsible for the prevention and detection of crime and the enforcement of the criminal, traffic, or highway laws of this state; and

(ii) Has met the selection and training requirements for certification set by the Arkansas Commission on Law Enforcement Standards and Training.

(B) "Law enforcement agency" means any public police department, county sheriff's office, or other public agency, force, or organization whose primary responsibility as established by law, statute, or ordinance is the enforcement of the criminal, traffic, or highway laws of this state.

SECTION 3. Arkansas Code Title 27, Chapter 24, Subchapter 13, is amended to add an additional section to read as follows:

27-24-1314. Certified law enforcement officers.

(a) The Department of Finance and Administration shall create and issue a special license plate for certified law enforcement officers under this section.

(b) The department shall seek the advice of the Arkansas Commission on Law Enforcement Standards and Training regarding the design of the special license plate under this section.

(c)(1) A certified law enforcement officer may apply for and renew annually a special license plate issued under this section.

(2) The fee for the initial application for a special license plate under this section is:

(A) The fee required by law for the registration and

licensing of the motor vehicle;

(B) A handling and administrative fee in the amount of ten dollars (\$10.00); and

(C) An additional fee of twenty-five dollars (\$25.00) to be remitted monthly in the following manner:

(i) Seventy-five percent (75%) shall be remitted to the Arkansas Law Enforcement Training Academy Cash Fund; and

(ii) Twenty-five percent (25%) to the Fallen Law Enforcement Officers' Beneficiary Fund.

(3) The fee for the renewal of a special license plate under this section is the fee required by law for the registration and licensing of the motor vehicle and an additional fee of twenty-five dollars (\$25.00) to be remitted monthly in the following manner:

(i) Seventy-five percent (75%) shall be remitted to the Arkansas Law Enforcement Training Academy Cash Fund; and

(ii) Twenty-five percent (25%) to the Fallen Law Enforcement Officers' Beneficiary Fund.

(4) The replacement fee for a special license plate issued under this section is ten dollars (\$10.00).

(d)(1) Upon the initial application for a special license plate issued under this section, the law enforcement officer shall provide adequate proof to the department that he or she is:

(A) A certified law enforcement officer as defined in § 27-24-1302;

(B) Retired from active service as a certified law enforcement officer as defined in § 27-24-1302;

(C) A prosecuting attorney under Amendment 80, § 20;

(D) A deputy prosecuting attorney under § 16-21-113;

(E) An officer of the Department of Correction; or

(F) An officer of the Department of Community Correction.

(2) This subsection shall not require a person who has been issued a license plate under this section to present adequate proof of his or her status as a certified law enforcement officer or retired law enforcement officer to the department for the renewal of his or her license and registration.

(e)(1) The fee remitted under subdivision (c)(2)(B) of this section

shall be deposited into the State Central Services Fund as direct revenue to the Revenue Division of the Department of Finance and Administration.

(2) The fee shall be credited as supplemental and in addition to all other funds as may be deposited for the benefit of the division.

(3) The fee shall not be considered or credited to the division as direct revenue.

(f)(1) The department shall offer a banner or tape to be attached to the special license plates issued under this section that states "Retired".

(2) The "Retired" banner or tape shall be made available to a license plate holder who establishes that he or she is a law enforcement officer retired from active service as provided under this section.

(3) This subsection does not to require a person who has been issued a "Retired" banner or tape under this section to present adequate proof of his or her status as a retired law enforcement officer for the renewal of his or her license and registration.

SECTION 4. Arkansas Code Title 27, Chapter 24, Subchapter 14, is amended to add additional sections to read as follows:

27-24-1411. "Support Law Enforcement" special license plate.

(a) The Director of the Department of Finance and Administration shall create and issue a special license plate for support of law enforcement in the manner and subject to the conditions provided for under this subchapter.

(b) The Support Law Enforcement motor vehicle special license plate shall be:

(1)(A) Designed by the Arkansas Commission on Law Enforcement Standards and Training.

(B) The design shall be submitted for design approval by the director under rules promulgated by the director; and

(2) Numbered consecutively.

(c) The procedures concerning costs for issuance under § 27-24-1404(c)(1)(A) shall apply.

(d) The Department of Finance and Administration shall issue a special license plate under this section upon payment of:

(1) The fee required by law for registration of the motor vehicle;

(2)(A) Twenty-five dollars (\$25.00) to cover the design-use

contribution.

(B) The design-use contribution shall be remitted monthly in the following manner:

(i) Seventy five percent (75%) shall be remitted to the Arkansas Law Enforcement Training Academy Cash Fund; and

(ii) Twenty five percent (25%) to the Fallen Law Enforcement Officers' Beneficiary Fund; and

(3)(A) A handling and administrative fee of ten dollars (\$10.00).

(B) The handling and administrative fee shall be:

(i) Deposited into the State Central Services Fund for the benefit of the Revenue Division of the Department of Finance and Administration; and

(ii) Credited to the division as supplemental and in addition to all other funds that may be deposited for the benefit of the division.

(C) The handling and administrative fee shall not be considered or credited to the division as direct revenue.

(e)(1) A special license plate issued under this section may be renewed annually or replaced under the procedures set out in § 27-24-1405.

(2) However, the division shall remit the fees collected under § 27-24-1405(b)(2) on a monthly basis as set forth in subsection (d)(2)(B) of this section.

27-24-1412. Arkansas Sheriffs' Association.

(a) The Director of the Department of Finance and Administration shall issue a special license plate for the Arkansas Sheriffs' Association in the manner and subject to the conditions provided for under this subchapter.

(b) The Arkansas Sheriffs' Association motor vehicle special license plate shall be:

(1)(A) Designed by the Arkansas Sheriffs' Association.

(B) The design shall be submitted for design approval by the director under rules promulgated by the director; and

(2) Numbered consecutively.

(c) The procedures concerning costs for issuance under § 27-24-1404(c)(1)(A) shall apply.

(d) The Department of Finance and Administration shall issue a special license plate under this section upon payment of:

(1) The fee required by law for registration of the motor vehicle;

(2)(A) Twenty-five dollars (\$25.00) to cover the design-use contribution.

(B) The design-use contribution shall be remitted monthly in the following manner:

(i) Seventy five percent (75%) shall be remitted to the Arkansas Sheriffs' Association; and

(ii) Twenty five percent (25%) to the Fallen Law Enforcement Officers' Beneficiary Fund; and

(3)(A) A handling and administrative fee of ten dollars (\$10.00).

(B) The handling and administrative fee shall be:

(i) Deposited into the State Central Services Fund for the benefit of the Revenue Division of the Department of Finance and Administration; and

(ii) Credited to the division as supplemental and in addition to all other funds that may be deposited for the benefit of the division.

(C) The handling and administrative fee shall not be considered or credited to the division as direct revenue.

(e)(1) A special license plate issued under this section may be renewed annually or replaced under the procedures set out in § 27-24-1405.

(2) However, the division shall remit the fees collected under § 27-24-1405(b)(2) on a monthly basis as set forth in subsection (d)(2)(B) of this section.

SECTION 5. EFFECTIVE DATE. This act is effective on and after January 1, 2014.

/s/Shepherd