

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

State of Arkansas  
92nd General Assembly  
Regular Session, 2019

# A Bill

HOUSE BILL 1216

By: Representative A. Davis

By: Senator Hester

## For An Act To Be Entitled

AN ACT TO CREATE THE TRANSFORMATION AND EFFICIENCIES ACT OF 2019; TO ESTABLISH CABINET-LEVEL DEPARTMENTS; TO ESTABLISH THE CABINET-LEVEL DEPARTMENT OF PUBLIC SAFETY; TO TRANSFER STATE ENTITIES; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

## Subtitle

TO CREATE THE TRANSFORMATION AND EFFICIENCIES ACT OF 2019; TO ESTABLISH THE CABINET-LEVEL DEPARTMENT OF PUBLIC SAFETY; TO TRANSFER STATE ENTITIES; AND TO DECLARE AN EMERGENCY.

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

SECTION 1. Arkansas Code Title 25, Chapter 43, is amended to add an additional subchapter to read as follows:

### Subchapter 14 - Department of Public Safety

25-43-1401. Department of Public Safety.

There is created a Department of Public Safety as a cabinet-level department.

25-43-1402. State entities transferred to the Department of Public Safety.

(a) The administrative functions of the following state entities are



transferred to the Department of Public Safety pursuant to a cabinet-level transfer:

(1) The Arkansas Commission on Law Enforcement Standards and Training, created under § 12-9-103;

(2) The Arkansas Crime Information Center, created under § 12-12-201;

(3) The Arkansas Emergency Telephone Services Board, created under § 12-10-318;

(4) The Arkansas Homeland Security Advisory Group, created under 12-75-132;

(5) The Arkansas State Police Commission, created under § 12-8-102;

(6) The Child Abuse Hotline, created under § 12-18-301;

(7) The Crimes Against Children Division, created under § 12-8-502;

(8) The Crime Victims Reparations Board, created under § 16-90-705;

(9) The Division of Emergency Management, created under § 12-75-109;

(10) The Division of Arkansas State Police, created under § 12-8-101;

(11) The Law Enforcement Support Office, created under § 19-11-605;

(12) The Office of Fire Protection Services, created under § 20-22-805;

(13) The State Crime Laboratory, created under § 12-12-301;

(14) The State Crime Laboratory Board, created under § 12-12-302;

(15) The State Emergency Response Commission, created under 12-82-104;

(16) The State Fire Prevention Commission, created under § 20-22-202; and

(17) The Supervisory Board for the Arkansas Crime Information Center, created under § 12-12-202.

(b) Each state entity transferred under subsection (a) of this section shall retain its specified statutory duties.

25-43-1403. Secretary of the Department of Public Safety.

(a) The executive head of the Department of Public Safety shall be the Secretary of the Department of Public Safety.

(b) The secretary shall be employed by the Governor and shall serve at the pleasure of the Governor.

(c) The secretary may perform all duties to administer the Department of Public Safety, including without limitation:

(1) Delegate to the employees of the Department of Public Safety any of the powers or duties of the department required to administer the:

(A) Statutory duties; or

(B) Rules, orders, or directives promulgated or issued by the state entities transferred to or established within the department;

(2) Hire department personnel;

(3) Perform or assign duties assigned to the Department of Public Safety; and

(4) Perform the duties of any other position within the Department of Public Safety, if the secretary meets all statutory qualifications for that position.

25-43-1403. Division of Law Enforcement Standards and Training.

There is created within the Department of Public Safety the Division of Law Enforcement Standards and Training.

SECTION 2. Arkansas Code § 3-2-303(a) and (b), concerning the authority of the Department of Arkansas State Police, are amended to read as follows:

(a) In addition to the duties otherwise prescribed by law upon the ~~Department~~ Division of Arkansas State Police, it shall be the duty of the ~~department~~ division to assist in enforcing all of the laws of the State of Arkansas against the unlawful manufacture or sale of intoxicating liquors.

(b)(1) The Director of the ~~Department~~ Division of Arkansas State Police, the Deputy Director of the ~~Department~~ Division of Arkansas State Police, captains, lieutenants, rangers, and other employees of the director shall perform such duties as may be prescribed by the director with respect to the enforcement of the laws, and they shall have authority to take affidavits and to swear the persons signing the affidavits with respect to

the violation of any law.

(2) The false swearing or making of the affidavits shall be deemed and punished as perjury.

SECTION 3. Arkansas Code § 5-64-707 is amended to read as follows:

5-64-707. Admissibility of drug analysis – Cross-examination.

(a) In any criminal prosecution for an alleged violation of this chapter, a record or report of any relevant drug analysis made by the State Crime Laboratory shall be received as competent evidence as to a matter contained in the record or report in this section in any preliminary hearing when attested to by the ~~Executive~~ Director of the State Crime Laboratory or his or her assistant or deputy.

(b)(1) Nothing in this section abrogates a defendant's right of cross-examination.

(2) If the defendant desires to cross-examine the ~~executive~~ director or the appropriate assistant or deputy, the defendant may compel the ~~executive~~ director or his or her appropriate assistant or deputy to attend court by the issuance of a proper subpoena.

(3) If the defendant compels the ~~executive~~ director or his or her appropriate assistant or deputy to attend court by the issuance of a proper subpoena:

(A) The record or report is only admissible through the ~~executive~~ director or the appropriate assistant or deputy; and

(B) The ~~executive~~ director or the appropriate assistant or deputy is subject to cross-examination by the defendant or his or her counsel.

SECTION 4. Arkansas Code § 5-73-302(a), concerning the authority of the Director the Department of Arkansas State Police to issue a license to carry a concealed handgun, is amended to read as follows:

(a) The Director of the ~~Department~~ Division of Arkansas State Police may issue a license to carry a concealed handgun to a person qualified as provided in this subchapter.

SECTION 5. Arkansas Code § 5-73-308(a)(1)(A), concerning the authority of the Director the Department of Arkansas State Police to issue or deny a

license to carry a concealed handgun, is amended to read as follows:

(a)(1)(A) The Director of the ~~Department~~ Division of Arkansas State Police may deny a license if within the preceding five (5) years the applicant has been found guilty of one (1) or more crimes of violence constituting a misdemeanor or for the offense of carrying a weapon.

SECTION 6. The introductory language of Arkansas Code § 5-73-309, concerning the requirements for a license to carry a concealed handgun, is amended to read as follows:

The Director of the ~~Department~~ Division of Arkansas State Police shall issue a license to carry a concealed handgun if the applicant:

SECTION 7. Arkansas Code § 5-73-309(6), concerning the requirements for a license to carry a concealed handgun, is amended to read as follows:

(6) Is not subject to any federal, state, or local law that makes it unlawful to receive, possess, or transport any firearm, and has had his or her background check successfully completed through the ~~Department~~ Division of Arkansas State Police and the Federal Bureau of Investigation's National Instant Criminal Background Check System;

SECTION 8. The introductory language of Arkansas Code § 5-73-310, concerning the application form for a license to carry a concealed handgun, is amended to read as follows:

The application for a license to carry a concealed handgun shall be completed, under oath, on a form promulgated by the Director of the ~~Department~~ Division of Arkansas State Police and shall include only:

SECTION 9. The introductory language of Arkansas Code § 5-73-311(a), concerning the application procedure for a license to carry a concealed handgun, is amended to read as follows:

(a) The applicant for a license to carry a concealed handgun shall submit the following to the ~~Department~~ Division of Arkansas State Police:

SECTION 10. Arkansas Code § 5-73-311(a)(3)(B), concerning the application procedure for a license to carry a concealed handgun, is amended to read as follows:

(B) In the event a legible set of fingerprints, as determined by the ~~department~~ division and the Federal Bureau of Investigation, cannot be obtained after a minimum of two (2) attempts, the Director of the ~~Department~~ Division of Arkansas State Police shall determine eligibility in accordance with criteria that the ~~department~~ division shall establish by promulgating rules.

SECTION 11. Arkansas Code § 5-73-311(a)(4)(A), concerning the application procedure for a license to carry a concealed handgun, is amended to read as follows:

(4)(A) A waiver authorizing the ~~department~~ division access to any medical, criminal, or other records concerning the applicant and permitting access to all of the applicant's criminal records.

SECTION 12. Arkansas Code § 5-73-311(a)(4)(C), concerning the application procedure for a license to carry a concealed handgun, is amended to read as follows:

(C) The ~~department~~ division shall maintain the confidentiality of the medical, criminal, or other records; and

SECTION 13. Arkansas Code § 5-73-311(b)(2), concerning the application procedure for a license to carry a concealed handgun, is amended to read as follows:

(2)(A) The ~~department~~ division shall forward a notice of the applicant's application to the sheriff of the applicant's county of residence and, if applicable, the police chief of the applicant's municipality of residence.

(B)(i) The sheriff of the applicant's county of residence and, if applicable, the police chief of the applicant's municipality of residence may participate, at his or her discretion, in the process by submitting a voluntary report to the ~~department~~ division containing any readily discoverable information that he or she feels may be pertinent to the licensing of any applicant.

(ii) The reporting under subdivision (b)(2)(B)(i) of this section shall be made within thirty (30) days after the date the notice of the application was sent by the ~~department~~ division.

SECTION 14. Arkansas Code § 5-73-312(a)(2)(A), concerning the revocation of a license to carry a concealed handgun, is amended to read as follows:

(2)(A) Any law enforcement officer making an arrest of a licensee for a violation of this subchapter or any other statutory violation that requires revocation of a license to carry a concealed handgun shall confiscate the license and forward it to the Director of the ~~Department~~ Division of Arkansas State Police.

SECTION 15. Arkansas Code § 5-73-312(b), concerning the revocation of a license to carry a concealed handgun, is amended to read as follows:

(b) When the ~~Department~~ Division of Arkansas State Police receives notification from any law enforcement agency or court that a licensee has been found guilty or has pleaded guilty or nolo contendere to any crime involving the use of a weapon, the license issued under this subchapter is immediately revoked.

SECTION 16. Arkansas Code § 5-73-314(a), concerning a license to carry a concealed handgun which has been lost, destroyed, or duplicated, is amended to read as follows:

(a) Within thirty (30) days after the changing of a permanent address, or within thirty (30) days after having a license to carry a concealed handgun lost, the licensee shall notify the Director of the ~~Department~~ Division of Arkansas State Police in writing of the change or loss.

SECTION 17. Arkansas Code § 5-73-314(b)(1) and (2), concerning a license to carry a concealed handgun which has been lost, destroyed, or duplicated, are amended to read as follows:

(1) Paying the ~~Department~~ Division of Arkansas State Police a fee established by the director under the Arkansas Administrative Procedure Act, § 25-15-201 et seq.; and

(2) Furnishing a notarized statement to the ~~department~~ division that the license to carry a concealed handgun has been lost or destroyed or that a duplicate is requested.

SECTION 18. Arkansas Code § 5-73-317 is amended to read as follows:  
5-73-317. Rules and regulations.

The Director of the ~~Department~~ Division of Arkansas State Police may promulgate rules and regulations to permit the efficient administration of this subchapter.

SECTION 19. Arkansas Code § 5-73-320(a), concerning a handgun license for certain members of the Arkansas National Guard and military personnel, is amended to read as follows:

(a) The ~~Department~~ Division of Arkansas State Police may issue a license under this subchapter to a person who:

(1) Is currently serving as an active duty member of, or has recently been honorably discharged from, the United States Armed Forces, the National Guard, or a reserve component of the United States Armed Forces;

(2) Submits the following documents:

(A) A completed concealed handgun license application as prescribed by the ~~department~~ division;

(B) A form specified by the Director of the ~~Department~~ Division of Arkansas State Police reflecting the fingerprints of the applicant;

(C) A properly completed and dated certificate from a concealed handgun carry training instructor who is registered with the ~~department~~ division;

(D) A letter dated and personally signed by a commanding officer or his or her designee stating that the applicant is of good character and sound judgment;

(E) A form, as designated by the ~~department~~ division, showing that the applicant has met the military qualification requirements for issuance and operation of a handgun within one (1) year of the application date;

(F) A copy of the face or photograph side of a current uniformed services of the United States identification card, if the applicant is a member of the United States Armed Forces; and

(G) An electronic passport-style photo of the applicant, if the applicant does not hold an Arkansas driver's license or identification card; and

- (3) Submits any required fees.

SECTION 20. Arkansas Code § 5-73-322(g)(1), concerning concealed handguns in a university, college, or community college building, is amended to read as follows:

(g)(1) A licensee who intends to carry a concealed handgun in the buildings and on the grounds of a public university, public college, or community college is required to complete a training course approved by the Director of the ~~Department~~ Division of Arkansas State Police.

(2)(A) Training required under this subsection shall:

- (i) Not be required to be renewed;
- (ii) Consist of a course of up to eight (8) hours;
- (iii) Be offered by all training instructors and at all concealed carry training courses; and
- (iv) Cost no more than a nominal amount.

SECTION 21. Arkansas Code § 5-73-322(g)(2)(B), concerning concealed handguns in a university, college, or community college building, is amended to read as follows:

(B) The Director of the ~~Department~~ Division of Arkansas State Police may waive up to four (4) hours of training required under this subsection for a licensee based on the licensee's prior training attended within ten (10) years of applying for the endorsement provided for under subdivision (g)(3) of this section on appropriate topics.

SECTION 22. Arkansas Code § 5-73-322(g)(3), concerning concealed handguns in a university, college, or community college building, is amended to read as follows:

(3) A licensee who completes a training course under this subsection shall be given a concealed carry endorsement by the ~~Department~~ Division of Arkansas State Police on his or her license to carry a concealed handgun that the person is permitted to possess and carry a concealed handgun in the buildings and on the grounds of a public university, public college, or community college.

SECTION 23. Arkansas Code § 5-73-322(i), concerning concealed handguns

in a university, college, or community college building, is amended to read as follows:

(i) The ~~department~~ division shall maintain a list of licensees who have successfully completed a training course under subsection (g) of this section.

SECTION 24. Arkansas Code § 6-10-121(b), concerning tornado safety drills, is amended to read as follows:

(b) The Director of the ~~Arkansas Department~~ Division of Emergency Management shall require all public schools to conduct tornado safety drills not less than three (3) times per year in the months of September, January, and February.

SECTION 25. Arkansas Code § 12-8-101(a), concerning the creation of the Department of Arkansas State Police, is amended to read as follows:

(a) There is created the ~~Department~~ Division of Arkansas State Police for the purposes of enforcing the motor vehicle laws, traffic laws, and other state laws relating to protecting and properly maintaining the state highway system of the State of Arkansas and to render more effective the apprehension of criminals and the enforcement of criminal law.

SECTION 26. Arkansas Code § 12-8-103(a)(3), concerning the powers, duties, and restrictions of the Arkansas State Police Commission, is amended to read as follows:

(3) Review each application for employment presented to it by the Director of the ~~Department~~ Division of Arkansas State Police for certification to the eligibility list.

SECTION 27. Arkansas Code § 12-8-103(c), concerning the powers, duties, and restrictions of the Arkansas State Police Commission, is amended to read as follows:

(c) The members of the commission are granted disciplinary authority equal to that of supervisory and administrative personnel of the ~~Department~~ Division of Arkansas State Police with respect to violations of rules and regulations committed by a ~~department~~ division employee in the presence of a commissioner.

SECTION 28. Arkansas Code § 12-8-104 is amended to read as follows:  
12-8-104. Director.

(a)(1)(A) After conferring with the members of the Arkansas State Police Commission, the Governor shall appoint a Director of the ~~Department~~ Division of Arkansas State Police who shall be the executive and administrative head of the ~~Department~~ Division of Arkansas State Police and shall receive a salary as fixed by law.

(B) The Director of the ~~Department~~ Division of Arkansas State Police shall serve at the pleasure of the Governor.

(2) The Director of the ~~Department~~ Division of Arkansas State Police shall be of good moral character and a resident and a qualified elector of the State of Arkansas.

(3) In addition to all other qualifications contained in this section, the Director of the ~~Department~~ Division of Arkansas State Police, at the time of appointment to the position of Director of the ~~Department~~ Division of Arkansas State Police, shall either:

(A) Be a college graduate with at least a bachelor's degree in criminology, business administration, or a related field;

(B) Have graduated from a standard high school or vocational school and have eight (8) years' previous experience in law enforcement or a related field with considerable supervisory and administrative experience; or

(C) Have at least ten (10) years' experience in law enforcement.

(b) The Director of the ~~Department~~ Division of Arkansas State Police shall determine the number of other officers and patrol personnel to be employed by the ~~Department~~ Division of Arkansas State Police, and they shall be paid salaries according to rank, not exceeding the salaries provided.

(c) The Director of the ~~Department~~ Division of Arkansas State Police shall promulgate such rules as are necessary for the efficient operation of the ~~Department~~ Division of Arkansas State Police and for the enforcement of such duties as are prescribed in this chapter.

(d) The Director of the ~~Department~~ Division of Arkansas State Police shall keep the books and records of the ~~Department~~ Division of Arkansas State Police, which shall be audited as the books and accounts of other state

departments.

(e) An annual report to the ~~Governor~~ secretary and a biannual report to the General Assembly showing the activities, number of arrests, amounts collected by the ~~Department~~ Division of Arkansas State Police, and disposition of all cases shall be made by the Director of the ~~Department~~ Division of Arkansas State Police.

(f)(1) The Director of the ~~Department~~ Division of Arkansas State Police shall have supervision and control for the purpose of discipline and proper management of all the members and employees of the ~~Department~~ Division of Arkansas State Police.

(2)(A) The Director of the ~~Department~~ Division of Arkansas State Police may designate that some or all employees of the ~~Department~~ Division of Arkansas State Police be trained 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 on federal and interstate highways in the State of Arkansas.

(B) The amount spent for training employees of the ~~Department~~ Division of Arkansas State Police under the memorandum of understanding between the State of Arkansas and the United States Department of Justice or the United States Department of Homeland Security shall be paid in accordance with the provisions of § 12-8-118.

(3)(A) Upon request of the Director of State Highways and Transportation, the Director of the ~~Department~~ Division of Arkansas State Police may designate certified law enforcement officers from the Arkansas Highway Police Division of the Arkansas Department of Transportation to be trained under the terms of the memorandum of understanding described in subdivision (f)(2) of this section.

(B) The amount spent for training certified law enforcement officers from the Arkansas Highway Police Division of the Arkansas Department of Transportation shall be paid by the Arkansas Department of Transportation.

(g) The Director of the ~~Department~~ Division of Arkansas State Police may establish such divisions within the ranks of the ~~Department~~ Division of Arkansas State Police as he or she may deem necessary and proper.

(h) Whenever in the Director of the ~~Department~~ Division of Arkansas

State Police's discretion the action is necessary for the efficient operation of the ~~Department~~ Division of Arkansas State Police, the Director of the ~~Department~~ Division of Arkansas State Police may:

(1) Transfer, assign, and reassign from one division to another division any member of the ~~Department~~ Division of Arkansas State Police or other employee of the ~~Department~~ Division of Arkansas State Police; or

(2)(A) Subject to the approval of the commission, promote or demote in rank any member of the ~~Department~~ Division of Arkansas State Police.

(B) However, any demotion pursuant to subdivision (h)(2)(A) of this section shall be for nondisciplinary reasons.

(i) Due to the exacting and special duties of the Director of the ~~Department~~ Division of Arkansas State Police, he or she may draw an expense allowance in an amount not to exceed six hundred dollars (\$600) per month.

(j)(1) Subject to the provisions of subsection (f) of this section, the Director of the ~~Department~~ Division of Arkansas State Police may negotiate the terms of 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.

(2)(A) The memorandum of understanding described in subdivision (j)(1) of this section must be signed on behalf of the State of Arkansas by the Director of the ~~Department~~ Division of Arkansas State Police, the Governor, and the Director of the Division of Law Enforcement Standards and Training.

(B) Prior to the signing provided for by subdivision (j)(2)(A) of this section, the memorandum of understanding shall be reviewed by the Legislative Council.

(k) The Director of the ~~Department~~ Division of Arkansas State Police shall implement or assist other entities to develop and implement a public service campaign concerning racial profiling and may utilize brochures, flyers, or public service announcements.

SECTION 29. Arkansas Code § 12-8-105 is amended to read as follows:  
12-8-105. Officers and members – Oath.

(a) Before entering upon their duties, all members and officers of the

~~Department~~ Division of Arkansas State Police shall take the oath as now provided by law for public officials.

(b) The Director of the ~~Department~~ Division of Arkansas State Police shall take the additional oath that he or she will not be either directly or indirectly interested in any purchase made by or for the ~~department~~ division.

(c) Any violation of oath shall constitute perjury and upon conviction shall be punished accordingly.

(d) The oath provided for in this section shall be filed in duplicate, the original filed with the ~~department~~ division and a copy with the Secretary of the Arkansas State Police Commission.

SECTION 30. The introductory language of Arkansas Code § 12-8-106(a)(1), concerning the duties, powers, and restrictions of the Department of Arkansas State Police, is amended to read as follows:

(a)(1) It shall be the duty of the ~~Department~~ Division of Arkansas State Police to:

SECTION 31. Arkansas Code § 12-8-106(a)(2), concerning the duties, powers, and restrictions of the Department of Arkansas State Police, is amended to read as follows:

(2) The Director of the ~~Department~~ Division of Arkansas State Police may promulgate necessary rules and regulations to carry out the purpose and intent of subdivision (a)(1)(B) of this section.

SECTION 32. Arkansas Code § 12-8-106(b) and (c), concerning the duties, powers, and restrictions of the Department of Arkansas State Police, are amended to read as follows:

(b) The ~~department~~ Division of Arkansas State Police shall be conservators of the peace and as such shall have the powers possessed by police officers in cities and county sheriffs in counties, except that the department may exercise such powers anywhere in this state.

(c) The ~~department~~ Division of Arkansas State Police shall have the authority to establish a Crimes Against Children Division, either through transfer or by contract, to conduct child abuse investigations, to administer the Child Abuse Hotline, and, when consistent with regulations promulgated by the department, to provide training and technical assistance to local law

enforcement in conducting child abuse investigations.

SECTION 33. Arkansas Code § 12-8-106(e)-(g), concerning the duties, powers, and restrictions of the Department of Arkansas State Police, are amended to read as follows:

(e) However, this chapter shall not be construed so as to take away any authority of the regularly constituted peace officers in the state, but the ~~department~~ Division of Arkansas State Police shall cooperate with them in the enforcement of the criminal laws of the state and assist such officers either in the enforcement of the law or apprehension of criminals.

(f) Nothing in this chapter shall be construed as to authorize any officer of the ~~department~~ Division of Arkansas State Police to serve writs unless they are specifically directed to the ~~department~~ Division of Arkansas State Police, or an officer thereof, by the issuing authority.

(g) No officer or member of the ~~department~~ Division of Arkansas State Police shall ever be used in performing police duties on private property in connection with any strike, lockout, or other industrial disturbance.

SECTION 34. Arkansas Code § 12-8-107 is amended to read as follows:  
12-8-107. Arrests and detentions.

(a) If any officer of the ~~Department~~ Division of Arkansas State Police delivers an arrested person to a county jail for detention, it shall be the duty of the jailer to receive the prisoner.

(b) The ~~department~~ division officer may notify the county sheriff or prosecuting officer of the county in which the crime was committed of the arrest and detention of the prisoner and make such lawful disposition of the prisoner as the ~~department~~ division officer is directed to do by the county sheriff or prosecuting officer.

SECTION 35. Arkansas Code § 12-8-108 is amended to read as follows:  
12-8-108. Security of Governor, capitol building, etc.

(a) The ~~Department~~ Division of Arkansas State Police shall be responsible for the safety and security of the:

- (1) Governor and his or her family;
- (2) Lieutenant Governor and his or her family;
- (3) Governor's Mansion and mansion grounds; and

(4) State Capitol Building and grounds.

(b) The ~~department~~ division is authorized to assign officers of the ~~department~~ division in such numbers and to such locations as is necessary to carry out the responsibility imposed on the ~~department~~ division by this section.

(c) Data, records, surveillance footage, security procedures, emergency plans, and other information compiled or possessed by the ~~department~~ division concerning the Governor's Mansion and mansion grounds are confidential and not subject to disclosure under the Freedom of Information Act of 1967, § 25-19-101 et seq.

SECTION 36. Arkansas Code § 12-8-109 is amended to read as follows:

12-8-109. Police protection for statewide functions.

(a) The ~~Department~~ Division of Arkansas State Police shall provide police protection, commensurate with the available personnel and resources of the ~~department~~ division which are not required for other activities, benefiting any statewide function or similar activities sponsored or conducted by:

- (1) A state agency, board, or commission;
- (2) A state-supported college or university;
- (3) A private nonprofit association or organization on public property; or
- (4) Statewide athletic events under the auspices of the public schools.

(b) For the purposes of this section, the statewide functions for which the ~~department~~ division may provide police protection at the Arkansas State Fair and Livestock Showgrounds shall include the annual Arkansas State Fair and Livestock Show held at the showgrounds, and statewide athletic contests in which the public schools of this state participate which are held at the showgrounds.

SECTION 37. Arkansas Code § 12-8-110 is amended to read as follows:

12-8-110. Deputizing citizens in emergency.

Any ~~Department~~ Division of Arkansas State Police officer shall have the authority in case of emergency to call upon and deputize any reputable citizen of the state for assistance whenever it is deemed necessary for the

proper enforcement of the law.

SECTION 38. Arkansas Code § 12-8-111 is amended to read as follows:

12-8-111. Cooperation among agencies.

(a) It shall be the duty of the ~~Department~~ Division of Arkansas State Police and its officers to cooperate with other law enforcement agencies of this state in the investigation and apprehension of criminals and the prevention of crime within the state and to use every means at their disposal in disseminating information that will more effectively expedite the detection of crime and the apprehension and conviction of criminals and promote the highest possible degree of efficiency in the enforcement of the criminal and traffic laws of the state.

(b) The law enforcement agencies of the state shall furnish to the ~~department~~ division such information as they may have or shall hereafter acquire upon request of the Director of the ~~Department~~ Division of Arkansas State Police relating to crime and criminals and otherwise cooperate with the ~~department~~ division in the enforcement of the criminal and traffic laws of this state.

SECTION 39. Arkansas Code § 12-8-112 is amended to read as follows:

12-8-112. Headquarters – Bureau of Identification and Information.

(a) The ~~Department~~ Division of Arkansas State Police shall maintain headquarters and an Identification Bureau which shall be located at the State Capitol or elsewhere in ~~the City of Little Rock~~ Pulaski County.

(b) The ~~department~~ division may establish district headquarters in other parts of the state if it is found to be necessary for the better enforcement of the provisions of this chapter. The Director of the ~~Department~~ Division of Arkansas State Police shall have the authority to assign the personnel for the district headquarters when designated.

SECTION 40. Arkansas Code § 12-8-113 is amended to read as follows:

12-8-113. Drug Abuse Enforcement Unit – Hot line.

(a) The Director of the ~~Department~~ Division of Arkansas State Police is directed to establish a Drug Abuse Enforcement Unit and assign sufficient supervisory, clerical, and enforcement personnel to carry out the duties and responsibilities of that unit as defined by the Uniform Controlled Substances

Act, § 5-64-101 et seq.

(b)(1) The unit shall operate a “drug abuse hot line” to allow citizens to use a toll-free in-watts telephone line to report to the ~~Department~~ Division of Arkansas State Police information regarding possible violations of the Uniform Controlled Substances Act, § 5-64-101 et seq., and other provisions of Arkansas law relating to unlawful use of drugs.

(2) The ~~department~~ division shall encourage citizen involvement in combating drug-related crimes by publicizing the existence of the drug abuse hot line.

SECTION 41. Arkansas Code § 12-8-114(a) and (b), concerning legal counsel and advisors for the Arkansas State Police Commission and the Department of Arkansas State Police, are amended to read as follows:

(a) The Attorney General shall be the legal representative and advisor of the Arkansas State Police Commission, the ~~Department~~ Division of Arkansas State Police, and the Director of the ~~Department~~ Division of Arkansas State Police.

(b) However, the director, with the approval of the Attorney General and Governor, may employ other counsel when in the Attorney General’s and Governor’s judgment it is necessary for the proper enforcement of the provisions of this chapter and the efficient operation of the ~~department~~ division.

SECTION 42. Arkansas Code § 12-8-115 is amended to read as follows:  
12-8-115. Physicians and surgeons.

(a) The Director of the ~~Department~~ Division of Arkansas State Police may designate one (1) physician and surgeon in each district of the state who shall be the physician and surgeon of the ~~Department~~ Division of Arkansas State Police within and for the district.

(b)(1) The physician and surgeon shall conduct the physical examinations required by this chapter and give medical treatment to any member or officer of the ~~department~~ division for injuries received while in the performance of official duty.

(2) The physician and surgeon shall be given honorary commissions by the director and shall serve without pay.

SECTION 43. Arkansas Code § 12-8-116 is amended to read as follows:  
12-8-116. Motor vehicles.

(a)(1) All automobiles, motorcycles, or other vehicles of any nature owned, used, and operated by the ~~Department~~ Division of Arkansas State Police shall be exempt from the payment of any licenses, fees, and charges required by the laws of this state for the operation of the vehicles upon the public highways of this state.

(2) The Director of the ~~Department~~ Division of Arkansas State Police and the ~~Director~~ Secretary of the Department of Finance and Administration shall adopt identification tags or other insignia which shall be attached to the vehicles by the officers, members, and employees of the ~~Department of Arkansas State Police~~ division, for which tag or insignia no charge shall be made or collected.

(b) The ~~Department~~ Division of Arkansas State Police is granted authority to purchase used vehicles for use in confidential assignments and drug investigations.

SECTION 44. Arkansas Code § 12-8-118 is amended to read as follows:  
12-8-118. Payment of salaries and expenses.

The salaries and expenses provided for in this chapter shall be paid by warrant upon a voucher properly drawn by the Director of the ~~Department~~ Division of Arkansas State Police and paid out of any funds now available for the payment of salaries and expenses of the ~~Department~~ Division of Arkansas State Police from the ~~Department~~ Division of Arkansas State Police Fund or any other fund as provided by law.

SECTION 45. Arkansas Code § 12-8-119(a), concerning the police training school, is amended to read as follows:

(a) The Director of the ~~Department~~ Division of Arkansas State Police may establish, maintain, and conduct a police training school and may admit to the training school police officers and judicial officers of the various political subdivisions of the State of Arkansas.

SECTION 46. Arkansas Code § 12-8-120 is amended to read as follows:  
12-8-120. Background investigations.

(a) The ~~Department~~ Division of Arkansas State Police is authorized to

charge a fee, not to exceed twenty dollars (\$20.00), for each background investigation requested of and conducted by the ~~department~~ division.

(b) The background investigation fee shall be collected by the ~~department~~ division and deposited into the State Treasury as special revenue to the credit of the ~~Department~~ Division of Arkansas State Police Fund.

SECTION 47. Arkansas Code § 12-8-121 is amended to read as follows:

12-8-121. Use of state uniform, patch, or logo prohibited.

(a) It shall be prohibited for any law enforcement agency, private security firm, corporation, partnership, or individual to wear a uniform in the same design and specific color scheme as the ~~Department~~ Division of Arkansas State Police.

(b) No law enforcement agency, private security firm, corporation, partnership, or individual may use the Arkansas State Police uniform or patch, nor may the Arkansas State Police logo or the terms "Arkansas State Police", "Arkansas State Trooper", or "Arkansas State Troopers" be used or otherwise displayed for the endorsement of any product, business, or purpose without the express written permission of the Director of the ~~Department~~ Division of Arkansas State Police.

(c) Nothing in this section shall prohibit uniforms or commercial concerns from reproducing these items for ~~department~~ division use, nor the public display of the uniform, patch, or logo when it relates to official governmental business.

SECTION 48. Arkansas Code § 12-8-125(a), concerning the Small Municipality Law Enforcement Vehicle Grant Program, is amended to read as follows:

(a) There is created the "Small Municipality Law Enforcement Vehicle Grant Program", to be administered by the ~~Department~~ Division of Arkansas State Police with funding from the General Improvement Fund or its successor fund or fund accounts.

SECTION 49. Arkansas Code § 12-8-125(c)(1), concerning the Small Municipality Law Enforcement Vehicle Grant Program, is amended to read as follows:

(c)(1) The ~~Department of Arkansas State Police~~ Division shall

promulgate rules necessary for the implementation of the program.

SECTION 50. Arkansas Code § 12-8-125(e), concerning the Small Municipality Law Enforcement Vehicle Grant Program, is amended to read as follows:

(e) If the ~~Department~~ Division of Arkansas State Police awards a grant to a city of the second class or incorporated town under this section, the ~~Department of Arkansas State Police~~ division shall pay the grant funds for the purchase of a used vehicle directly to the Marketing and Redistribution Section within the Office of State Procurement of the Department of Finance and Administration.

SECTION 51. Arkansas Code § 12-8-201(a)-(c), concerning the selection of the members of the police force, are amended to read as follows:

(a) The Director of the ~~Department~~ Division of Arkansas State Police shall appoint all members of the police force, subject to approval of the Arkansas State Police Commission, and the director shall select the clerical and stenographic force of the ~~Department~~ Division of Arkansas State Police.

(b) The commission shall promulgate rules and regulations setting forth the minimum qualifications for employment as a ~~department~~ division police officer and prescribing the manner of examination of applicants for the position.

(c) The director shall receive all applications for positions as ~~department~~ division officers and submit them to the commission for examination as to the physical fitness and mental qualifications of the applicants and for such other examinations as provided for by the commission's rules and regulations.

SECTION 52. Arkansas Code § 12-8-201(e)(2), concerning the selection of the members of the police force, is amended to read as follows:

(2) From this list, the director shall make the final selection for the appointments, and any vacancy occurring in the ~~department~~ division shall be filled from this list.

SECTION 53. Arkansas Code § 12-8-203(a), concerning the probationary period of a parole officer, is amended to read as follows:

(a)(1) Each person who is selected as a police officer of the ~~Department~~ Division of Arkansas State Police shall be a probationer for a period of eighteen (18) months from his or her date of hire.

(2) A probationer may be discharged by the Director of the ~~Department~~ Division of Arkansas State Police with the approval of the Arkansas State Police Commission with or without cause.

SECTION 54. Arkansas Code § 12-8-204 is amended to read as follows:  
12-8-204. Tenure – Removal, suspension, or discharge.

(a) The members of the ~~Department~~ Division of Arkansas State Police shall hold their offices until and unless removed for cause.

(b) Should the Director of the ~~Department~~ Division of Arkansas State Police deem it necessary to remove, suspend, discharge, demote, or transfer for disciplinary reasons any ~~department~~ division officer, the director shall do so by written notice.

(c)(1) Any ~~department~~ division officer so removed, suspended, discharged, demoted, or transferred shall have the right of appeal to the Arkansas State Police Commission, provided that notice of the appeal shall be lodged with the commission within ten (10) days after notice to the officer of his or her discharge, removal, suspension, demotion, or disciplinary transfer.

(2) When so filed, the appeal shall be heard and determined by the commission within a reasonable time from the date the appeal is filed with the commission.

(d)(1) Provided the appeal is perfected within thirty (30) days from the date of the final order made by the commission, an appeal may be taken to the Pulaski County Circuit Court from any order of the commission discharging, removing, suspending, demoting, or transferring for disciplinary reasons any member of the ~~department~~ division force.

(2) The appeal shall be heard by the court without the introduction of any further testimony.

SECTION 55. Arkansas Code § 12-8-213 is amended to read as follows:  
12-8-213. Equipment and uniforms.

(a) Such motorcycles, automobiles, and other vehicles, equipment, and supplies as may be necessary for the proper and efficient operation of the

~~Department~~ Division of Arkansas State Police and as may be necessary for the proper enforcement of this chapter shall be furnished to the officers and patrol personnel by the ~~department~~ division.

(b) The officers and patrol personnel shall wear and display upon their person a metal badge or other insignia as the director ~~of the department~~ shall require, bearing the words "Arkansas State Police".

(c) All such patrol personnel and officers shall wear such uniforms at such times and places as shall be designated and required by the ~~Director of the Department of Arkansas State Police~~ director.

SECTION 56. Arkansas Code § 12-8-215(a) and (b), concerning additional salary payments by the Department of Arkansas State Police, is amended to read as follows:

(a) In the event that sufficient revenues in the judgment of the Director of the ~~Department~~ Division of Arkansas State Police exist, the ~~Department~~ Division of Arkansas State Police is authorized to make additional salary payments from such funds to those employees who have attained law enforcement certification above the basic certificate level, as defined by the Arkansas Commission on Law Enforcement Standards and Training.

(b) It is the intent of this section that such payment shall be optional, at the discretion of the director, dependent on sufficient revenues, and shall not be implemented using funds specifically set aside for other programs within the ~~department~~ division.

SECTION 57. Arkansas Code § 12-8-215(c)(2)(A), concerning additional salary payments by the Department of Arkansas State Police, is amended to read as follows:

(A) Director of the ~~Department~~ Division of Arkansas State Police;

SECTION 58. Arkansas Code § 12-8-301 is amended to read as follows:  
12-8-301. Title.

This subchapter shall be known and may be cited as the "~~Department~~ Division of Arkansas State Police Communications Equipment Leasing Act".

SECTION 59. Arkansas Code § 12-8-303(1), concerning the definition of

"acquire" under the Department of Arkansas State Police Communications Equipment Leasing Act, is amended to read as follows:

(1) "Acquire" means to acquire by lease, lease-purchase, or otherwise, construct, repair, alter, install, restore, or place on any land or in any building or motor vehicle any communications equipment by negotiation or bidding upon such terms and conditions as are determined by the Arkansas State Police Commission to be in the best interests of the ~~Department~~ Division of Arkansas State Police and that will most effectively serve the purposes of this subchapter;

SECTION 60. Arkansas Code § 12-8-303(5) and (6), concerning the definition of "department" and "director" under the Department of Arkansas State Police Communications Equipment Leasing Act, are repealed.

~~(5) "Department" means the Department of Arkansas State Police, created by § 12-8-101, and any successor agency;~~

~~(6) "Director" means the Director of the Department of Arkansas State Police;~~

SECTION 61. Arkansas Code § 12-8-303(8), concerning the definition of "lease payments" under the Department of Arkansas State Police Communications Equipment Leasing Act, is amended to read as follows:

(8) "Lease payments" means payments to be made by the ~~department~~ division from pledged revenues or other legally available sources to pay costs of communications equipment; and

SECTION 62. Arkansas Code § 12-8-305(a)(1)(A), concerning additional powers of the Arkansas State Police Commission, is amended to read as follows:

(1)(A) Acquire, construct, repair, renovate, alter, maintain, and equip communications equipment for use by the ~~Department~~ Division of Arkansas State Police.

SECTION 63. Arkansas Code § 12-8-305(a)(2), concerning additional powers of the Arkansas State Police Commission, is amended to read as follows:

(2) Contract for the lease, lease-purchase, or purchase of the

communications equipment on such terms and conditions as are specified by this subchapter and approved by the Director of the ~~Department~~ Division of Arkansas State Police with the consent of the commission;

SECTION 64. Arkansas Code § 12-8-305(a)(12), concerning additional powers of the Arkansas State Police Commission, is amended to read as follows:

(12) Arrange for the use of such communications equipment by any federal, state, or local governmental agency or any other person, from time to time, as any of such communications equipment is not needed by the ~~department~~ division and collect fees and charges, as the commission determines to be reasonable, in connection with the use of any communications equipment by any other person;

SECTION 65. Arkansas Code § 12-8-305(b), concerning additional powers of the Arkansas State Police Commission, is amended to read as follows:

(b) All the powers, purposes, and authorities set forth in subsection (a) of this section, except those relating to the contracting for the lease, purchase, or lease-purchase of the communications equipment, may be carried out by the ~~department~~ division.

SECTION 66. Arkansas Code § 12-8-403(a)(1), concerning inquiry to determine abuse by the Director of the Department of Arkansas State Police is amended to read as follows:

(a)(1) Upon the request of the prosecuting attorney of any judicial district in which an affected municipality is located, the Director of the ~~Department~~ Division of Arkansas State Police is authorized to investigate and determine whether any municipality is abusing police power.

SECTION 67. Arkansas Code § 12-8-403(a)(2)(B), concerning inquiry to determine abuse by the Director of the Department of Arkansas State Police is amended to read as follows:

(B) The records may be over a reasonable period of time as requested by the ~~Department~~ Division of Arkansas State Police, but in no event shall there be less than ninety (90) days worth of documentation.

SECTION 68. Arkansas Code § 12-8-404(a)(1), concerning sanctions by the Director of the Department of Arkansas State Police, is amended to read as follows:

(a)(1) Upon the completion of an inquiry, the Director of the ~~Department~~ Division of Arkansas State Police shall forward all information to the prosecuting attorney of the affected municipality, who will make the determination as to whether the municipality has abused its police power.

SECTION 69. Arkansas Code § 12-8-601 is amended to read as follows:  
12-8-601. Title.

This subchapter shall be known and may be cited as the “~~Department~~ Division of Arkansas State Police Headquarters Facilities and Equipment Financing Act”.

SECTION 70. The introductory language of Arkansas Code § 12-8-602(1), concerning the legislative findings concerning the Department of Arkansas State Police Headquarters Facilities and Equipment Financing Act, is amended to read as follows:

(1) The ~~Department~~ Division of Arkansas State Police is faced daily with:

SECTION 71. Arkansas Code § 12-8-602(1), concerning the legislative findings concerning the Department of Arkansas State Police Headquarters Facilities and Equipment Financing Act, is amended to read as follows:

(B) The need to maintain and develop the most efficient means of allocating ~~department~~ division personnel and other resources, particularly in emergency circumstances; and

(C) The need to design, construct, and maintain facilities from which the ~~department's~~ division's personnel and resources may be stationed and deployed;

(2) There is a need to continuously improve, upgrade, expand, and maintain the ~~department's~~ division's headquarters facilities and communication and information technology systems and equipment to support the police force and its mission to protect and serve the citizens of the state;

(3) A designated method of financing is necessary to enable the ~~department~~ division to obtain and maintain communication and information

technology equipment and headquarters facilities;

(4) The use of tax-exempt revenue bonds to finance communication and information technology equipment and headquarters facilities has proven to be an economical and cost-efficient method for financing equipment and facilities for the department;

(5) Certain driver license fees have been pledged and utilized by the ~~department~~ division since 1997 to finance equipment and facilities for the department;

(6) These driver license fees should continue to be designated as a source of funding to be utilized and pledged by the ~~department~~ division to finance or purchase communication and information technology equipment and headquarters facilities;

SECTION 72. Arkansas Code § 12-8-603(1)(A), concerning the definition of "acquire" under the Department of Arkansas State Police Headquarters Facilities and Equipment Financing Act, is amended to read as follows:

(A) Are determined by the Arkansas State Police Commission to be in the best interests of the ~~Department~~ Division of Arkansas State Police; and

SECTION 73. Arkansas Code § 12-8-603(6)(B), concerning the definition of "headquarters facility" under the Department of Arkansas State Police Headquarters Facilities and Equipment Financing Act, is amended to read as follows:

(B) Engineering, design, construction, or architectural plans related to a property used by the ~~department~~ division;

SECTION 74. Arkansas Code § 12-8-604(2), concerning the pledge of revenues under the Department of Arkansas State Police Headquarters Facilities and Equipment Financing Act, is amended to read as follows:

(2) Used by the ~~Department~~ Division of Arkansas State Police as provided in this subchapter.

SECTION 75. Arkansas Code § 12-8-605(2), concerning the powers of the Arkansas State Police Commission, is amended to read as follows:

(2) Contract to acquire headquarters facilities and

communication and information technology equipment on the terms and conditions specified by this subchapter and approved by the Director of the ~~Department~~ Division of Arkansas State Police with the consent of the commission;

(3) Provide for the payment of the costs associated with the acquisition of headquarters facilities and communication and information technology equipment from any legally available source, including without limitation pledged revenues and funds appropriated and made available under § 12-8-101 et seq.;

(4) Enter into financing documents and agreements with the Arkansas Development Finance Authority that are necessary and appropriate to secure obligations issued by the authority that will facilitate the acquisition of the headquarters facilities and communication and information technology equipment; and

(5) Take other action, not inconsistent with law, that may be necessary, convenient, or desirable to carry out the powers, purposes, and authority stated in this subchapter or to carry out the intent of this subchapter.

SECTION 76. Arkansas Code § 12-8-6066 is amended to read as follows:  
12-8-606. Use of pledged revenues.

(a)(1) The debt service payments and other costs relating to a headquarters facility or communication and information technology equipment shall be secured by a lien on and pledge of the pledged revenues.

(2) To the extent that pledged revenues are not required to make debt service payments, the pledged revenues shall be released to the ~~Department~~ Division of Arkansas State Police to provide operating funds as described in this section.

(b)(1) All pledged revenues are cash funds restricted in their use and dedicated and to be used solely as provided in this subchapter.

(2) When pledged revenues are received by the Commissioner of Motor Vehicles, the Office of Motor Vehicle, the ~~Department~~ Division of Arkansas State Police, the Arkansas State Police Commission, the Department of Finance and Administration, or any other state agency, the pledged revenues shall be deposited as cash funds into a bank selected by the ~~Department~~ Division of Arkansas State Police to the credit of the ~~Department~~

Division of Arkansas State Police Financing Fund.

(c)(1) On the date that the Arkansas Development Finance Authority issues bonds under this subchapter and the Arkansas Development Finance Authority Act, § 15-5-101 et seq., §§ 15-5-201 – 15-5-211, 15-5-213, and 15-5-301 – 15-5-316, any revenues in the ~~Department~~ Division of Arkansas State Police Financing Fund shall be pledged revenues.

(2) Debt service payments shall be paid from the ~~Department~~ Division of Arkansas State Police Financing Fund as stated in the financing documents.

(3)(A) If all debt service payments have been properly made on the last day of each fiscal quarter, the pledged revenues remaining in the ~~Department~~ Division of Arkansas State Police Financing Fund shall be withdrawn from the ~~Department~~ Division of Arkansas State Police Financing Fund and deposited into the State Treasury as special revenues to the credit of the ~~Department~~ Division of Arkansas State Police Fund.

(B) However, if any debt service payments remain to be paid under this subchapter, all moneys in the ~~Department~~ Division of Arkansas State Police Financing Fund shall continue to be pledged to the debt service payments and other costs in connection with the bonds and the maintenance of reserves, notwithstanding the right of the ~~Department~~ Division of Arkansas State Police to withdraw funds on the last day of each fiscal quarter if debt service payments are current.

(d) If any debt service payments remain to be made, the General Assembly may modify or change the pledged revenues only if there are always maintained in effect and made available for the payment of debt service payments sources of revenue comparable in amount and time of receipt that produce revenues sufficient to provide for and secure debt service payments when due.

SECTION 77. Arkansas Code § 12-8-607 is amended to read as follows:

12-8-607. ~~Department~~ Division of Arkansas State Police Financing Fund.

(a) There is created the ~~Department~~ Division of Arkansas State Police Financing Fund.

(b) The fund is a cash fund of the ~~Department~~ Division of Arkansas State Police and shall be used as provided in this subchapter.

SECTION 78. Arkansas Code § 12-9-102(1)(B), concerning the definition of "law enforcement agency" under the laws governing the Commission on Law Enforcement Standards, is amended to read as follows:

(B) The ~~Arkansas Commission on~~ Division of Law Enforcement Standards and Training and the Black River Technical College Law Enforcement Training Academy as designated under § 12-9-210; and

SECTION 79. Arkansas Code § 12-9-103(b)(1)(A), concerning the creation, members, meetings, and director of the Arkansas Commission on Law Enforcement Standards and Training, is amended to read as follows:

(b)(1)(A) Two (2) members of the commission shall be chiefs of police of municipalities in Arkansas, two (2) members of the commission shall be county sheriffs of counties in this state, one (1) member shall be an officer of the ~~Department~~ Division of Arkansas State Police, two (2) members shall be appointed to represent the public, one (1) member shall be an educator in the field of criminal justice, and one (1) member shall represent the Arkansas Municipal Police Association.

SECTION 80. Arkansas Code § 12-9-103(g), concerning the creation, members, meetings, and director of the Arkansas Commission on Law Enforcement Standards and Training, is amended to read as follows:

(g) Upon recommendation of the commission, the Governor shall appoint the Director of the Division of Law Enforcement Standards and Training, who shall perform such duties as may be directed by the commission and who shall serve at the pleasure of the Governor, and report to the Secretary of the Department of Public Safety.

SECTION 81. Arkansas Code § 12-9-105 is amended to read as follows:

12-9-105. Employees.

The ~~Arkansas Commission on~~ Division of Law Enforcement Standards and Training may employ such employees as are necessary to efficiently and effectively carry out this subchapter and as may be authorized by appropriations of the General Assembly.

SECTION 82. Arkansas Code § 12-9-107 is amended to read as follows:

12-9-107. Training programs.

(a)(1) For the purpose of this subchapter, the ~~Arkansas Commission on~~ Division of Law Enforcement Standards and Training may cooperate with federal, state, and local law enforcement agencies in establishing and conducting instruction and training programs for law enforcement officers of this state, its counties, and municipalities.

(2) Cooperation under subdivision (a)(1) of this section may include without limitation the use of any training facility, equipment, or personnel to conduct training or provide services for any law enforcement or public safety purpose.

(b) The ~~commission~~ division shall establish and maintain police training programs through such agencies and institutions as the ~~commission~~ division may deem appropriate to carry out the intent of this subchapter.

(c) The ~~commission~~ division shall work with each state agency and political subdivision that adheres to the selection and training standards established by the commission to provide allowable tuition, living, and training expenses incurred by the officers in attendance at approved training programs.

(d)(1) It is the intent of this subchapter that the expenses of attending the approved training programs established under subsection (c) of this section shall be furnished by the state through the ~~Arkansas Law Enforcement Training Academy~~ division or any other manner that may be prescribed by the ~~commission~~ division, and no cost or charge shall be made to any local political subdivision for the actual cost of the training.

(2) The state shall not be liable for the travel cost or any salary in connection with attending any training program.

(3) The ~~commission~~ division may accept reimbursement from any public or private entity for the use of its training facilities, equipment, or personnel during the providing of services.

(e) The expenses of attending training provided 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 shall be paid in accordance with the provisions of § 12-8-104.

(f) The ~~commission~~ division shall administer the training and certification program for court security officers under the Arkansas Court Security Act, § 16-10-1001 et seq.

(g)(1) Persons such as doctors, nurses, firefighters, first

responders, or other medical personnel, persons engaged in homeland security, or persons otherwise engaged in assisting in the protection of public welfare and safety who are not law enforcement personnel may attend training or receive instruction at the invitation of the ~~commission~~ division.

(2) The ~~commission~~ division may assess a fee on a person invited to attend training or receive instruction under this subsection to reimburse the ~~commission~~ division for costs associated with the training or instruction under this subsection.

SECTION 83. Arkansas Code § 12-9-110(a), concerning the training of civilians to file parking violations and traffic accident reports, is amended to read as follows:

(a) The Arkansas Commission on Law Enforcement Standards and Training shall by regulation establish the qualifications including minimum training standards for persons performing law enforcement-related duties pursuant to this section within cities of the first class and within other areas of the State of Arkansas for cadets that are appointed by the Director of the ~~Department~~ Division of Arkansas State Police.

SECTION 84. The introductory language of Arkansas Code § 12-9-110(b), concerning the training of civilians to file parking violations and traffic accident reports, is amended to read as follows:

(b) Municipal police departments of cities of the first class and the ~~Department~~ Division of Arkansas State Police may employ persons who do not meet certification requirements prescribed by the commission, and the persons may:

SECTION 85. The introductory language of Arkansas Code § 12-9-110(d)(2), concerning the training of civilians to file parking violations and traffic accident reports, is amended to read as follows:

(2) However, the ~~department~~ division and cities of the first class may establish more stringent training requirements.

SECTION 86. Arkansas Code § 12-9-111(a), concerning uniforms, is amended to read as follows:

(a) The Arkansas Commission on Law Enforcement Standards and Training

is exempt from § 19-6-109(c) for the purpose of buying uniforms for students and law enforcement officers employed by the ~~commission~~ division.

SECTION 87. Arkansas Code § 12-9-115 is amended to read as follows:

12-9-115. Training for constables.

After consultation with the Arkansas Constable Association, the ~~Arkansas Commission on~~ Division of Law Enforcement Standards and Training shall develop and the Division of Law Enforcement Standards and Training shall certify a training course of one hundred ten (110) hours to one hundred sixty (160) hours for constables in accordance with § 14-14-1314.

SECTION 88. Arkansas Code § 12-9-117 is amended to read as follows:

12-9-117. Award of pistol upon retirement or death of a certified law enforcement officer employed by the ~~commission~~ division.

(a) When a certified law enforcement officer employed by the ~~Arkansas Commission on~~ Division of Law Enforcement Standards and Training or a by a state-funded law enforcement training academy retires from service or dies while still employed with the ~~commission~~ division or the state-funded law enforcement training academy, in recognition of and appreciation for the service of the retiring or deceased certified law enforcement officer, the commission, the department, or the state-funded law enforcement training academy may award the pistol carried by the certified law enforcement officer at the time of his or her death or retirement from service to:

- (1) The certified law enforcement officer; or
- (2) The certified law enforcement officer's spouse if the spouse is eligible under applicable state and federal laws to possess a firearm.

(b)(1) A certified law enforcement officer employed by the ~~commission~~ division or a state-funded law enforcement training academy may retain his or her pistol he or she carried at the time of his or her retirement from service.

(2) If the certified law enforcement officer dies while he or she is employed by the ~~commission~~ division or a state-funded law enforcement training academy, his or her spouse may receive or retain the pistol carried by the certified law enforcement officer at the time of his or her death, if the spouse is eligible under applicable state and federal laws to possess a firearm.

SECTION 89. Arkansas Code § 12-9-119(e), concerning behavioral health crisis intervention training, is amended to read as follows:

(e) All training required under this section and the curriculum for the training shall be developed by the Division of Law Enforcement Standards and Training, ~~commission~~ in collaboration with the commission and the Criminal Justice Institute.

SECTION 90. Arkansas Code § 12-9-121(a) and (b), concerning an additional salary payment by the Arkansas Commission on Law Enforcement Standards and Training, are amended to read as follows:

(a)(1) The ~~Arkansas Commission on~~ Division of Law Enforcement Standards and Training may make additional salary payments from available funds to employees of the ~~commission~~ division who have attained law enforcement certification above the basic certificate level, as defined by the ~~commission~~ Arkansas Commission on Law Enforcement Standards and Training.

(2) The award of an additional salary payment under this section is contingent upon the:

(A) Existence of sufficient funding independent of funding specifically set aside for other programs within the commission; and

(B) Discretion of the Director of the Division of Law Enforcement Standards and Training.

(b)(1) Eligible employees of the ~~commission~~ division may be paid up to the following annual amounts for the respective certifications:

(A) General certificate – three hundred dollars (\$300);

(B) Intermediate certificate – six hundred dollars (\$600);

(C) Advanced certificate – nine hundred dollars (\$900);

and

(D) Senior certificate – one thousand two hundred dollars (\$1,200).

(2) Payment of the additional salary amounts may be made monthly, quarterly, semiannually, or annually depending upon the availability of funding and is restricted to full-time law enforcement officers employed by the ~~commission~~ division.

(c) Additional salary payments made under this section are considered part of the employee's regular income and subject to all applicable

withholding required by law.

SECTION 91. Arkansas Code § 12-9-121(a)(2)(B), concerning an additional salary payment by the Arkansas Commission on Law Enforcement Standards and Training, is amended to read as follows:

(B) Discretion of the Director of the Division of Law Enforcement Standards and Training in coordination with the Secretary of the Department of Public Safety.

SECTION 92. Arkansas Code § 12-9-202 is amended to read as follows:  
12-9-202. Location of academy.

The Arkansas Law Enforcement Training Academy shall be located at a place which, in the opinion of the Director of the ~~Arkansas Commission on Division of~~ Law Enforcement Standards and Training, will serve the best interests of the state in the carrying out of the intent and purposes of this subchapter.

SECTION 93. Arkansas Code § 12-9-203(a), concerning the disposition and acceptance of gifts and grants, is amended to read as follows:

(a) ~~The Arkansas Commission on~~ Division of Law Enforcement Standards and Training may accept gifts, grants, donations, equipment and materials, and bequests of money or gratuities donated by private persons or corporations.

SECTION 94. Arkansas Code § 12-9-204(a)(1) and (2), concerning the law enforcement powers of the Arkansas Commission on Law Enforcement Standards and Training, are amended to read as follows:

(1) The Director of the Division of Law Enforcement Standards and Training;

(2) Employees of the ~~commission~~ division appointed by the Director of the Division of Law Enforcement Standards and Training as law enforcement officers;

SECTION 95. Arkansas Code § 12-9-204(c)(1) and (2), concerning the law enforcement powers of the Arkansas Commission on Law Enforcement Standards and Training, are amended to read as follows:

(1) Be credited with service toward maintaining and increasing certification levels for time employed at the ~~commission~~ division and the Black River Technical College Law Enforcement Training Academy; and

(2) Receive credit for years of law enforcement service for time employed at the ~~commission~~ division, the Arkansas Police Corps Training Program at the University of Arkansas at Little Rock, or the Black River Technical College Law Enforcement Training Academy upon employment as law enforcement officers elsewhere in the State of Arkansas.

SECTION 96. Arkansas Code § 12-9-210 is amended to read as follows:  
12-9-210. Designated law enforcement agencies.

The ~~Arkansas Commission on~~ Division of Law Enforcement Standards and Training and the Black River Technical College Law Enforcement Training Academy are designated as law enforcement agencies.

SECTION 97. Arkansas Code § 12-9-211(b)(2), concerning the ability of private college or university law enforcement offices to attend the Arkansas Law Enforcement Training Academy, is amended to read as follows:

(2) Reimburse the ~~Arkansas Commission on~~ Division of Law Enforcement Standards and Training for any cost associated with the private college or university law enforcement officer's training or instruction at the academy.

SECTION 98. Arkansas Code § 12-9-602(a)(1), concerning the response by the law enforcement officer and the duty of the Commission on Law Enforcement Standards and Training, for a notice of employment, appointment, or separation, is amended to read as follows:

(a)(1)(A) An employing agency shall immediately notify the ~~Arkansas Commission on~~ Division of Law Enforcement Standards and Training in writing, on a form adopted by the ~~commission~~ division, of the employment or appointment, or separation from employment or appointment, of any law enforcement officer.

(B) The employing agency must maintain the original form and submit, or electronically transmit, a copy of the form to the ~~commission~~ division.

SECTION 99. Arkansas Code § 12-9-602(b)(1)(A) and (B), concerning the response by the law enforcement officer and the duty of the Commission on Law Enforcement Standards and Training, for a notice of employment, appointment, or separation, are amended to read as follows:

(b)(1)(A) In a case of separation from employment or appointment, the employing agency shall execute and maintain an affidavit-of-separation form adopted by the ~~commission~~ division, setting forth in detail the facts and reasons for such separation.

(B) A copy of the affidavit-of-separation form must be submitted, or electronically transmitted, to the ~~commission~~ division.

SECTION 100. Arkansas Code § 12-9-602(a)(13), concerning the response by the law enforcement officer and the duty of the Commission on Law Enforcement Standards and Training, for a notice of employment, appointment, or separation, is amended to read as follows:

(3) Any law enforcement officer who has separated from employment or appointment must be permitted to respond to the separation, in writing, to the ~~commission~~ division, setting forth the facts and reasons for the separation as he or she understands them.

SECTION 101. Arkansas Code § 12-9-602(c), concerning the response by the law enforcement officer and the duty of the Commission on Law Enforcement Standards and Training, for a notice of employment, appointment, or separation, is amended to read as follows:

(c)(1) Before employing or appointing a law enforcement officer, a subsequent employing agency must contact the ~~commission~~ division to inquire as to the facts and reasons a law enforcement officer became separated from any previous employing agency.

(2) The ~~commission~~ division shall, upon request and without prejudice, provide to the subsequent employing agency all information that is required under subsections (a) and (b) of this section and that is in its possession.

SECTION 102. Arkansas Code § 12-9-602(e), concerning the response by the law enforcement officer and the duty of the Commission on Law Enforcement Standards and Training, for a notice of employment, appointment, or

separation, is amended to read as follows:

(e)(1) The ~~commission, its members,~~ division and its employees who disclose information pursuant to this section are immune from civil liability for such disclosure or its consequences.

(2) The ~~commission, its members,~~ division and its employees shall not be civilly liable for:

- (A) Disclosure of information under this subchapter; or
- (B) Performing any other duties under this subchapter.

SECTION 103. Arkansas Code § 12-10-203 is amended to read as follows:  
12-10-203. Policy committee.

(a) A seven-member policy committee composed of two (2) representatives each from the Arkansas Sheriffs' Association, the Arkansas Chiefs of Police Association, and the Arkansas Law Enforcement Officers Association and one (1) representative from the ~~Department~~ Division of Arkansas State Police will be responsible for policy making and for policing a statewide communication system.

(b) Members of the policy committee will be appointed by the presidents of the respective law enforcement associations and the Director of the ~~Department~~ Division of Arkansas State Police.

SECTION 104. Arkansas Code § 12-10-318(c)(1)(D), concerning the imposition and liability for emergency telephone service charges and the establishment of the Arkansas Emergency Telephone Services Board, is amended to read as follows:

(D) The Director of the ~~Arkansas Department~~ Division of Emergency Management or the director's designee;

SECTION 105. Arkansas Code § 12-10-318(c)(2)(B)(i)(b), concerning the imposition and liability for emergency telephone service charges and the establishment of the Arkansas Emergency Telephone Services Board, is amended to read as follows:

(b) Each state fiscal year, two hundred thousand dollars (\$200,000) of the total monthly revenues collected and remitted under subdivision (c)(2)(B)(i)(a) of this section shall be transferred and deposited to the credit of the books of the Treasurer of

State and the Auditor of State for the Miscellaneous Agencies Fund Account for the ~~Arkansas Commission on~~ Division of Law Enforcement Standards and Training, to be used exclusively for training and all related costs under § 12-10-325;

(a)(1) A public safety agency, a public safety answering point, a dispatch center, or a 911 public safety communications center may provide training opportunities for 911 public safety communications center personnel through the ~~Arkansas Commission on~~ Division of Law Enforcement Standards and Training ~~and the Arkansas Law Enforcement Training Academy.~~

(2) The ~~Arkansas Law Enforcement Training Academy~~ division shall develop training standards for dispatchers, supervisors, and instructors in Arkansas in consultation with the Association of Public-Safety-Communications Officials-International, Inc., and submit the training standards to the Arkansas Commission on Law Enforcement Standards and Training for approval.

SECTION 106. Arkansas Code § 12-10-325(b), concerning training standards for 911 public safety communications center personnel, is amended to read as follows:

(b)(1) A private safety agency may attend training or receive instruction at the invitation of the ~~commission~~ division.

(2) The ~~commission~~ division may assess a fee on a private safety agency invited to attend training or receive instruction under this subsection to reimburse the commission for costs associated with the training or instruction.

SECTION 107. Arkansas Code § 12-12-103(c)(1)(B), concerning pawnshop records and penalties, is amended to read as follows:

(B) The Director of the ~~Department~~ Division of Arkansas State Police, a member of the ~~Department~~ Division of Arkansas State Police, a county sheriff or deputy of the county, or a police officer of the municipality in which the pawnshop or pawnbroker is located shall have access to the records at any reasonable time.

SECTION 108. Arkansas Code § 12-12-105(d), concerning controlled

substance laboratory seizure reports, is amended to read as follows:

(d)(1) The ~~Executive~~ Director of the State Crime Laboratory shall catalogue the number of controlled substance laboratories reported to the State Crime Laboratory through evidence submission.

(2) For each reported controlled substance laboratory, the ~~Executive~~ Director of the State Crime Laboratory shall record the:

- (A) Judicial district where the laboratory was located;
- (B) Date of seizure of the laboratory; and
- (C) Name of the seizing law enforcement agency.

SECTION 109. Arkansas Code § 12-12-201 is amended to read as follows:  
12-12-201. Creation – Director.

(a) There is created the Arkansas Crime Information Center, under the supervision of the Supervisory Board for the Arkansas Crime Information Center established by this subchapter.

(b) This center shall consist of ~~a director~~ the Director of the Arkansas Crime Information Center and such other staff of the Department of Public Safety under the general supervision of the director as may be necessary to administer the services of this subchapter, subject to the approval of funds authorized by the General Assembly.

(c) The board shall name the director with the approval of the Secretary of the Department of Public Safety.

SECTION 110. Arkansas Code § 12-12-202(b)(9), concerning members and meetings of the Supervisory Board for the Arkansas Crime Information Center, is amended to read as follows:

(9) The Director of the ~~Department~~ Division of Correction or his or her designated agent;

SECTION 111. Arkansas Code § 12-12-202(b)(12), concerning members and meetings of the Supervisory Board for the Arkansas Crime Information Center, is amended to read as follows:

(12) The Director of the ~~Department~~ Division of Arkansas State Police or his or her designated agent; and

SECTION 112. Arkansas Code § 12-12-304 is amended to read as follows:

12-12-304. ~~Executive director~~ Director of the State Crime Laboratory.

(a) The State Crime Laboratory shall be headed by ~~an executive a~~ director who shall be appointed by the Governor.

(b) The ~~Executive~~ Director of the State Crime Laboratory may delegate specific duties to competent and qualified associates, assistants, and deputies who may act for the ~~executive~~ director within the scope of the authority granted him or her, subject, however, to such rules and regulations as may be prescribed by the State Crime Laboratory Board.

(c) The board, in cooperation with the secretary, shall prescribe the duties, responsibilities, compensation, and qualifications for the ~~executive~~ director.

SECTION 113. Arkansas Code § 12-12-305(a), concerning the functions, housing, and equipment of the State Crime Laboratory, is amended to read as follows:

(a) There shall be established under the supervision of the ~~Executive~~ Director of the State Crime Laboratory a central office and laboratory facility sufficient and adequate to house the various functions of the State Crime Laboratory as set out in this subchapter and as may be necessary and proper for the laboratory to perform in carrying out its official duties and functions as provided by law.

SECTION 114. Arkansas Code § 12-12-306 is amended to read as follows:  
12-12-306. State Medical Examiner.

(a) The ~~Executive~~ Director of the State Crime Laboratory shall appoint and employ a State Medical Examiner with the approval of the State Crime Laboratory Board and the Secretary of the Department of Public Safety.

(b) The ~~executive~~ director may remove the examiner only for cause and with the approval of the board.

SECTION 115. Arkansas Code § 12-12-309(a), concerning utilization of outside personnel by the Director of the State Crime Laboratory, is amended to read as follows:

(a) The State Crime Laboratory Board may authorize the ~~Executive~~ Director of the State Crime Laboratory to contract with a medical school in this state accredited by an accrediting agency recognized by the United

States Department of Education or approved by the Arkansas Higher Education Coordinating Board to seek accreditation by an accrediting agency recognized by the United States Department of Education, or with other persons or institutions, to obtain services with which to perform the duties set forth in this subchapter.

SECTION 116. Arkansas Code § 12-12-311(b) and (c), concerning cooperation with the staff of the State Crime Laboratory, are amended to read as follows:

(b) Any physician or other person in attendance or present at the death of a person or any hospital, if death occurs therein and results from such conditions and circumstances as set out in § 12-12-315 shall promptly notify the chief law enforcement official of the county or municipality which shall have jurisdiction and the laboratory of the death and shall assist in making available dead bodies and related evidence as may be requested by the ~~Executive~~ Director of the State Crime Laboratory or his or her staff or by the law enforcement agency conducting the investigation.

(c) Any physician, surgeon, dentist, hospital, or other supplier of healthcare services shall cooperate and make available to the ~~executive~~ director or his or her staff the records, reports, charts, specimens, or x-rays of the deceased as may be requested where death occurs and an investigation is being conducted under the provisions of this subchapter.

SECTION 117. Arkansas Code § 12-12-313(a), concerning records as evidence and analyst's testimony, is amended to read as follows:

(a) The records and reports of autopsies, evidence analyses, drug analyses, and any investigations made by the State Crime Laboratory under the authority of this subchapter shall be received as competent evidence as to the matters contained therein in the courts of this state subject to the applicable rules of criminal procedure or civil procedure when duly attested to by the ~~Executive~~ Director of the State Crime Laboratory or his or her assistants, associates, or deputies.

SECTION 118. Arkansas Code § 12-12-315(b), concerning notification of deaths, is amended to read as follows:

(b) With regard to any death in a correctional facility, the county

coroner and the State Medical Examiner shall be notified, and when previous medical history does not exist to explain the death, the ~~Department~~ Division of Arkansas State Police shall be notified.

SECTION 119. Arkansas Code § 12-12-316(c), concerning the transportation of corpses by the State Crime Laboratory, is amended to read as follows:

(c) The laboratory shall provide transportation or shall bear the cost of transportation at the option of the ~~Executive~~ Director of the State Crime Laboratory, but in no case shall the cost of transportation of dead bodies subject to the provisions of this subchapter be borne by the laboratory without the prior approval and authorization of the ~~executive~~ director or his or her staff.

SECTION 120. Arkansas Code § 12-12-318(a)(2)(A), concerning the authorization and restrictions on examinations, investigations, and postmortem examinations, is amended to read as follows:

(2)(A) The laboratory shall make examinations, investigations, or perform postmortem examinations to determine the cause of death as the ~~Executive~~ Director of the State Crime Laboratory or his or her staff deems necessary or as may be requested by the:

(i) County coroner of the county in which death occurs or is discovered;

(ii) Prosecuting attorney of the jurisdiction in which death occurs or is discovered;

(iii) County sheriff of the county in which death occurs or is discovered;

(iv) Chief of police of the city in which death occurs or is discovered;

(v) Board of Corrections or its designee, or the Director of the ~~Department~~ Division of Correction or his or her designee if the person was in the care, custody, or control of the ~~Department~~ Division of Correction at the time of death; or

(vi) Director of the ~~Department~~ Division of Arkansas State Police or his or her designee.

SECTION 121. Arkansas Code § 12-12-318(d) and (e), concerning the authorization and restrictions on examinations, investigations, and postmortem examinations, are amended to read as follows:

(d) The ~~executive director~~ Director of the State Crime Laboratory and his or her staff shall not, as a part of their official duties, perform any postmortem examination at the request of any private citizen or any public official other than those enumerated in this section.

(e) The provisions of this section shall supersede any and all other laws relating to the power and authority of the ~~executive director~~ Director of the State Crime Laboratory or his or her staff, including the examiner, to conduct examinations, investigations, or postmortem examinations.

SECTION 122. Arkansas Code § 12-12-318(f)(1) and (2), concerning the authorization and restrictions on examinations, investigations, and postmortem examinations, are amended to read as follows:

(f)(1) The ~~executive director~~ Director of the State Crime Laboratory shall have the final authority on any ruling of manner of death which may become a matter of dispute between those persons authorized by this section to request a post-mortem examination as described in § 12-12-315 and the examiner or his or her associates.

(2) The ~~executive director~~ Director of the State Crime Laboratory shall use any and all material accumulated by the laboratory, interview all parties necessary, and consult with any medical authority necessary for him or her to make his or her decision as to the manner of death, and his or her ruling shall be final and binding as that ruling affects any documents generated and signed by any employee of the laboratory relating to manner of death.

SECTION 123. Arkansas Code § 12-12-319(b), concerning embalming a corpse subject to examination, investigation, or autopsy, is amended to read as follows:

(b) When a body subject to examination by the examiner or his or her associates has been embalmed without authorization by or prior notice to the examiner or his or her associates, assistants, or deputies as provided for in this subchapter, the ~~Executive~~ Director of the State Crime Laboratory may, at his or her discretion, require an order from the circuit court of the

jurisdiction in which death occurred before proceeding with his or her duties and responsibilities under this subchapter.

SECTION 124. Arkansas Code § 12-12-322(a)(5), concerning hazardous duty pay, is amended to read as follows:

(5) Payment will be controlled by the ~~Executive~~ Director of the State Crime Laboratory.

SECTION 125. Arkansas Code § 12-12-324(c), concerning testing by the State Crime Laboratory, is amended to read as follows:

(c) A law enforcement agency in this state may request the assistance of the ~~Department~~ Division of Arkansas State Police in tracing a firearm.

SECTION 126. Arkansas Code § 12-12-326(a)(3)(A)(ii), concerning the definition of "police officer" under the laws regarding autopsies and line-of-duty-death, is amended to read as follows:

(ii) The ~~Department~~ Division of Arkansas State Police; or

SECTION 127. Arkansas Code § 12-12-906(g)(3)(M)(ii)(b), concerning the duty to register or verify registration and review of requirements with offenders, is amended to read as follows:

(b) Submit the fingerprints to the center and to the ~~Department~~ Division of Arkansas State Police.

SECTION 128. Arkansas Code § 12-12-906(g)(3)(M)(iii)(b), concerning the duty to register or verify registration and review of requirements with offenders, is amended to read as follows:

(b) Submit the palm prints to the center and to the ~~Department~~ Division of Arkansas State Police;

SECTION 129. Arkansas Code § 12-12-906(h)(3)(M)(ii)(b), concerning the duty to register or verify registration and review of requirements with offenders, is amended to read as follows:

(b) Submit the fingerprints to the center and to the ~~Department~~ Division of Arkansas State Police.

SECTION 130. Arkansas Code § 12-12-906(h)(3)(M)(iii)(b), concerning the duty to register or verify registration and review of requirements with offenders, is amended to read as follows:

(b) Submit the palm prints to the center and to the ~~Department~~ Division of Arkansas State Police;

SECTION 131. Arkansas Code § 12-12-1010(a)(2)(A), concerning dissemination of criminal history information for other purposes, is amended to read as follows:

(A) Persons performing research related to the administration of criminal justice, subject to conditions approved by the central repository or the Identification Bureau of the ~~Department~~ Division of Arkansas State Police to assure the security of the information and the privacy of individuals to whom the criminal history information relates; and

SECTION 132. Arkansas Code § 12-12-1507 is amended to read as follows: 12-12-1507. Administration.

(a)(1) Release of criminal history information under this subchapter shall be made only by the Identification Bureau of the ~~Department~~ Division of Arkansas State Police and the Arkansas Crime Information Center as authorized by law.

(2) The ~~Department~~ Division of Arkansas State Police and the center may adopt rules and regulations consistent with the provisions and intent of this subchapter.

(b) The ~~department~~ division and the center may contract with the Information Network of Arkansas under the Information Network of Arkansas Act, § 25-27-101 et seq., or any other qualified third-party vendor in the establishment of the gateway or means of electronically processing transactions under this subchapter.

(c)(1) The ~~department~~ division shall not process a request for a Federal Bureau of Investigation background check unless a corresponding state background check through the Identification Bureau of the ~~Department~~ Division of Arkansas State Police has also been properly requested pursuant to this subchapter.

(2) The requirements of subdivision (c)(1) of this section may

be waived upon written authorization of the Director of the ~~Department~~ Division of Arkansas State Police.

(d) The ~~Department~~ Division of Arkansas State Police Automated Fingerprint Identification System may access and use the National Fingerprint File and Interstate Identification Index as provided by the Federal Bureau of Investigation when the Arkansas Code authorizes a fingerprint-based Federal Bureau of Investigation check for a noncriminal justice purpose and a positive identification based on fingerprints is made.

SECTION 133. Arkansas Code § 12-13-102(2), concerning the definition of "director" under the Fire Prevention Act, is repealed.

~~(2) "Director" means the Director of the Department of Arkansas State Police;~~

SECTION 134. Arkansas Code § 12-13-102(5), concerning the definition of "officer" under the Fire Prevention Act, is amended to read as follows:

(5) "Officer" means an officer of the ~~Department~~ Division of Arkansas State Police whom the ~~director~~ Director of the Division of Arkansas State Police may appoint or designate to execute the powers and perform the duties specified in this subchapter and also includes all peace officers as defined in subdivision (7) of this section;

SECTION 135. Arkansas Code § 12-13-104 is amended to read as follows:  
12-13-104. Administration and enforcement.

(a) The administration and enforcement of this subchapter are vested in the ~~Department~~ Division of Arkansas State Police.

(b) The Director of the ~~Department~~ Division of Arkansas State Police is empowered to create and maintain a State Fire Marshal Enforcement Section in the ~~Department~~ Division of Arkansas State Police and to appoint such personnel with such duties, powers, and titles as he or she may deem necessary for the proper administration and enforcement of this subchapter.

SECTION 136. Arkansas Code § 12-13-106 is amended to read as follows:  
12-13-106. Section personnel.

The members or heads of the State Fire Marshal Enforcement Section shall be appointed and serve in the same manner as provided by law for the

operation of other divisions of the ~~Department~~ Division of Arkansas State Police.

SECTION 137. The introductory language of Arkansas Code § 12-13-107(a) concerning the duties of the Director of the Department of Arkansas State Police, is amended to read as follows:

(a) It shall be the duty of the Director of the ~~Department~~ Division of Arkansas State Police and his or her officers and deputies to enforce all laws and ordinances with regard to the following:

SECTION 138. Arkansas Code § 12-13-108 is amended to read as follows:  
12-13-108. Ex officio deputies.

All mayors, members of fire departments, and peace officers shall be ex officio deputies to the Director of the ~~Department~~ Division of Arkansas State Police. They shall be subject to the duties and obligations imposed by this subchapter in fire prevention and in the investigation of the cause, origin, and circumstances of fires within their jurisdiction.

SECTION 139. Arkansas Code § 12-13-109 is amended to read as follows:  
12-13-109. Fire drills.

It shall be the duty of the Director of the ~~Department~~ Division of Arkansas State Police, his or her officers, and deputies to require teachers of public and private schools and all educational institutions to have one (1) fire drill each month and to keep all doors and exits unlocked during school hours.

SECTION 140. Arkansas Code § 12-13-110(a)(1), concerning the inspection of buildings by the Director of the Department of Arkansas State police and his or her officers or deputies, is amended to read as follows:

(a)(1) Upon complaint of any person or on their own motion, the Director of the ~~Department~~ Division of Arkansas State Police and his or her officers or deputies may inspect all buildings and premises within their jurisdiction and issue an order for the compliance with the director's regulations.

SECTION 141. Arkansas Code § 12-13-111(a)(1), concerning the

investigation of fires by the deputies of the Director of the Department of Arkansas State Police, is amended to read as follows:

(a)(1) The deputies to the Director of the ~~Department~~ Division of Arkansas State Police shall investigate each fire causing loss of life or damage to property within their jurisdiction to determine if the fire was caused by negligence or design.

SECTION 142. Arkansas Code § 12-13-112(a), concerning inquires by the Director of the Department of Arkansas State Police, is amended to read as follows:

(a) When the Director of the ~~Department~~ Division of Arkansas State Police or any officer or deputy has reason to believe that a crime or other offense has been committed in connection with any fire, the director or his or her deputy may conduct an inquiry in relation thereto.

SECTION 143. Arkansas Code § 12-13-114(a)(1), concerning civil actions regarding the Director of the Department of Arkansas State Police, is amended to read as follows:

(a)(1) No act taken by the Director of the ~~Department~~ Division of Arkansas State Police shall affect the rights of any policy holder or of any insurance company with regard to a loss by reason of any fire which the director has investigated.

SECTION 144. Arkansas Code § 12-13-115 is amended to read as follows:  
12-13-115. Annual report to Governor.

Annually on or before July 1, the Director of the ~~Department~~ Division of Arkansas State Police shall transmit to the Governor a full report of his or her proceedings under this subchapter, including statistics and recommendations he or she may deem advisable.

SECTION 145. Arkansas Code § 12-15-202(a)(7), concerning eligibility to carry a concealed handgun, is amended to read as follows:

(7) Has fingerprint impressions on file with the ~~Department~~ Division of Arkansas State Police Automated Fingerprint Identification System.

SECTION 146. Arkansas Code § 12-15-202(b)(2)(B), concerning eligibility to carry a concealed handgun, is amended to read as follows:

(B) The Director of the ~~Department~~ Division of Arkansas State Police shall keep a record of all retired ~~department~~ division officers authorized to carry a concealed handgun in the state and shall revoke any authorization for good cause shown.

SECTION 147. Arkansas Code § 12-18-301(b), concerning the creation of the Child Abuse Hotline, is amended to read as follows:

(b) The Child Abuse Hotline is a unit established within the Department of Human Services and the ~~Department~~ Division of Arkansas State Police, or their designee, with the purpose of receiving and recording notifications and reports under this chapter.

SECTION 148. Arkansas Code § 12-18-1202 is amended to read as follows:  
12-18-1202. Training regarding sexually exploited children.

The Arkansas Juvenile Officers Association, ~~Arkansas Law Enforcement Training Academy~~ the Division of Law Enforcement Standards and Training, or the Prosecutor Coordinator may provide training to intake officers, law enforcement, prosecutors, and any other appropriate staff concerning how to identify a sexually exploited child and how to obtain appropriate services for a sexually exploited child.

SECTION 149. Arkansas Code § 12-75-109 is amended to read as follows:

12-75-109. ~~Arkansas Department~~ Division of Emergency Management – Establishment – Personnel.

(a) The ~~Arkansas Department~~ Division of Emergency Management is established as a public safety agency of the State of Arkansas.

(b) The ~~Arkansas Department~~ Division of Emergency Management shall have a director appointed by the Governor, with the advice and consent of the Senate, who shall serve at the pleasure of the Governor.

(c)(1) The ~~Arkansas Department~~ Division of Emergency Management shall have such professional, technical, secretarial, and clerical employees and may make such expenditures within its appropriations or from any federal or other funds made available to it from any source whatsoever for the purpose of emergency services, as may be necessary to carry out the purposes of this

chapter.

(2) All such employees shall be in job positions as approved by the secretary and the Office of Personnel Management of the Division of Management Services of the Department of ~~Finance and Administration~~ Transformation and Shared Services.

(d)(1) There is created within the ~~Arkansas Department~~ Division of Emergency Management an emergency reserve cadre to be composed of trained and available specialists to assist regular employees during declared disaster response and recovery operations.

(2) The ~~Director of the Arkansas Department of Emergency Management~~ director shall establish training and professional standards required to supplement state personnel based on state and federal disaster recovery program needs and shall establish a list of persons with those qualifications and make available to emergency reserve cadre personnel such additional training and education opportunities as may be needed to maintain currency and proficiency in the needed skills.

(3)(A) Emergency reserve cadre personnel shall be reimbursed at the current state classified entry level salary rate for the position they are temporarily employed to fill and meet such additional training, experience, and qualifications as established by the director for the grade level of the position for which they are employed.

(B) Emergency reserve cadre personnel shall:

(i) Be paid from disaster management funds or administrative funds, or both;

(ii) Be limited to salary, logistical, and travel expenses only; and

(iii) Not accrue ordinary leave, sick leave, or other employee benefits except for workers' compensation eligibility for injuries or death suffered in the line of duty.

(4)(A) Emergency reserve cadre personnel may be called to active duty upon declaration of a disaster emergency as stipulated in this chapter or the Disaster Relief Act of 1974, Pub. L. No. 93-288, or both, or by executive order of the Governor upon recommendation by the director for due cause or pending emergency needs or for disaster-related assistance to the ~~Arkansas Department~~ Division of Emergency Management as determined by the director and shall remain on active duty no longer than the maximum allowed

by the Office of Personnel Management of the Division of Management Services of the Department of ~~Finance and Administration~~ Transformation and Shared Services for part-time employment status.

(B) Based on the size, impact, and magnitude of the disaster event, the director shall determine the minimum number of emergency reserve cadre personnel required to effectively supplement regular state emergency management personnel.

(5) While in service described in subdivision (d)(4)(A) of this section, the emergency reserve cadre personnel have the same immunities as regular state employees for good faith performance of their designated and assigned official duties under state sovereignty laws and practices.

SECTION 150. The introductory language of Arkansas Code § 12-75-110(a), concerning the state emergency operations plan and the Arkansas Department of Emergency Management, is amended to read as follows:

(a) The ~~Arkansas Department~~ Division of Emergency Management shall coordinate and maintain a state emergency operations plan and keep it current, which plan may include:

SECTION 151. Arkansas Code § 12-75-110(b) and (c), concerning the state emergency operations plan and the Arkansas Department of Emergency Management, are amended to read as follows:

(b)(1) In preparing and revising the state emergency operations plan, the ~~department~~ division shall seek the advice and assistance of state agencies, local government, business, labor, industry, agriculture, civic, and volunteer organizations, and community leaders.

(2) In advising local and jurisdictional agencies, the ~~department~~ division shall encourage them also to seek advice from the entities listed in subdivision (b)(1) of this section.

(c) The state emergency operations plan or any part of the state emergency operations plan may be incorporated in rules of the ~~department~~ division or executive orders that have the force and effect of law.

SECTION 152. The introductory language of Arkansas Code § 12-75-111(a), concerning the powers and duties of the Arkansas Department of Emergency Management, is amended to read as follows:

(a) The ~~Arkansas Department~~ Division of Emergency Management shall, with the assistance and cooperation of other state and local government agencies:

SECTION 153. Arkansas Code § 12-75-111(b), concerning the powers and duties of the Arkansas Department of Emergency Management, is amended to read as follows:

(b)(1) The ~~department~~ division shall take an integral part in the development and revision of local and interjurisdictional emergency operations plans prepared under § 12-75-118.

(2)(A) To meet the requirements of subdivision (b)(1) of this section, the ~~department~~ division shall employ or otherwise secure the services of professional and technical personnel capable of providing expert assistance to political subdivisions, their local offices of emergency management, interjurisdictional planning, and interjurisdictional offices of emergency management.

(B) Personnel described in subdivision (b)(2)(A) of this section shall consult with political subdivisions, local offices of emergency management, and interjurisdictional offices of emergency management on a regularly scheduled basis and shall make field examinations of the area, circumstances, and conditions to which particular local and interjurisdictional emergency operations plans are intended to apply and may suggest or require revisions.

SECTION 154. Arkansas Code § 12-75-112 is amended to read as follows:  
12-75-112. Communications networks.

(a) The ~~Arkansas Department~~ Division of Emergency Management shall operate and maintain information systems which will make available both voice and data links with federal agencies, other states, and state agencies as are assigned an emergency management role in the state emergency operations plan and local offices of emergency management.

(b) In addition to the minimum requirements of subsection (a) of this section, additional information systems networks may be established as deemed necessary by the Director of the ~~Arkansas Department~~ Division of Emergency Management.

SECTION 155. Arkansas Code § 12-75-113(a), concerning emergency response vehicles, is amended to read as follows:

(a) Due to the time-critical nature of response to the scene of a disaster or major emergency occurrence, the Director of the ~~Arkansas Department~~ Division of Emergency Management may designate appropriate vehicles as requested in the staffing patterns of the state offices of emergency management and local offices of emergency management and designate other state agency vehicles with an emergency management response requirement as emergency response vehicles.

SECTION 156. Arkansas Code § 12-75-114(c)(8), concerning disaster emergency responsibilities of the Governor, is amended to read as follows:

(8) Expenditures from the emergency response fund shall be made by executive order of the Governor, upon recommendation and verification by the Director of the ~~Arkansas Department~~ Division of Emergency Management, and may only be made to defray immediate costs associated with response activities by emergency forces of state and local governments and private nonprofit forces duly registered in accordance with § 12-75-129.

SECTION 157. Arkansas Code § 12-75-115(a)(3), concerning disaster prevention, is amended to read as follows:

(3) Studies under subdivision (a)(2) of this section shall be furnished to the Governor and the ~~Arkansas Department~~ Division of Emergency Management as soon as possible after completion and shall concentrate on means of reducing or avoiding damage caused by possible disasters or the consequences of possible disasters.

SECTION 158. Arkansas Code § 12-75-115(b)(1), concerning disaster prevention, is amended to read as follows:

(b)(1) If the ~~department~~ division believes, on the basis of the studies or other competent evidence, that an area is susceptible to a disaster of catastrophic proportions without adequate warning, that existing building standards and land use control in that area are inadequate and could add substantially to the magnitude of the disaster, and that changes in zoning regulations, other land use regulations, or building requirements are essential in order to further the purposes of this section, it shall specify

the essential changes to the Governor.

SECTION 159. Arkansas Code § 12-75-116(a)(2), concerning liaison officers and state and local governmental entities, is amended to read as follows:

(2) In furtherance of the policy described in subdivision (a)(1) of this section, the head of each state department, commission, agency, or institution with an emergency management role or responsibility shall appoint a member or members of his or her staff as agency emergency management liaison officer or officers to act on his or her behalf in ensuring the agency's capability to fulfill its role in emergency management activities and shall ensure that the ~~Arkansas Department~~ Division of Emergency Management is notified of any change in the appointment.

SECTION 160. Arkansas Code § 12-75-116(b)(1) and (2), concerning liaison officers and state and local governmental entities, are amended to read as follows:

(1) Maintain close and continuous liaison with the ~~department~~ division, as applicable;

(2) Prepare agency annexes to the state and, as applicable, local emergency operations plans which are compatible with this chapter and with guidance provided by the ~~department~~ division;

SECTION 161. Arkansas Code § 12-75-116(b)(5), concerning liaison officers and state and local governmental entities, is amended to read as follows:

(5) Ensure that the agency can respond promptly and cooperatively with other agencies in any disaster or major emergency situation under the overall management of the ~~department~~ division;

SECTION 162. Arkansas Code § 12-75-116(c), concerning liaison officers and state and local governmental entities, are amended to read as follows:

(c) As conditions or situations may require or dictate, the Director of the ~~Arkansas Department~~ Division of Emergency Management may request a state department, agency, or institution not currently participating in the emergency management liaison officer program to appoint an officer in

accordance with this section.

SECTION 163. The introductory language of Arkansas Code § 12-75-117(a)(2), concerning interjurisdictional disaster planning and service areas, is amended to read as follows:

(2) A finding of the Governor pursuant to this subsection shall be based on an assessment conducted by the Director of the ~~Arkansas Department~~ Division of Emergency Management using one (1) or more factors related to the difficulty of maintaining an efficient, effective, and economical system for disaster and emergency preparedness, mitigation, response, and recovery such as:

SECTION 164. Arkansas Code § 12-75-118(a)(1), concerning local and interjurisdictional offices of emergency management services, is amended to read as follows:

(a)(1) Each political subdivision within this state shall be within the jurisdiction of and served by the ~~Arkansas Department~~ Division of Emergency Management and by a local office of emergency management or interjurisdictional office of emergency management.

SECTION 165. Arkansas Code § 12-75-118(c), concerning local and interjurisdictional offices of emergency management services, is amended to read as follows:

(c)(1) The Governor shall determine if additional municipal local offices of emergency management or interjurisdictional offices of emergency management are required based on an assessment conducted by the Director of the ~~Arkansas Department~~ Division of Emergency Management using one (1) or more of the factors enumerated in § 12-75-117(a).

(2) The ~~department~~ division shall publish and keep current a list of municipalities required to have local offices of emergency management or interjurisdictional offices of emergency management under this subsection.

SECTION 166. Arkansas Code § 12-75-118(f)(2), concerning local and interjurisdictional offices of emergency management services, is amended to read as follows:

(2) The chief executive of a political subdivision shall notify

the ~~department~~ division of the manner in which the political subdivision is providing or securing disaster planning and emergency management, provide a staffing pattern for the local office of emergency management, identify the person who heads the local office of emergency management, and furnish additional information relating thereto as the ~~department~~ division requires.

SECTION 167. Arkansas Code § 12-75-118(g)(2)(B), concerning local and interjurisdictional offices of emergency management services, is amended to read as follows:

(B) The emergency operations plan shall then be submitted to the ~~department~~ division for approval prior to implementation.

SECTION 168 Arkansas Code § 12-75-118(j)(1), concerning local and interjurisdictional offices of emergency management services, is amended to read as follows:

(j)(1) Local offices of emergency management shall operate and maintain as a minimum an information systems link with the ~~department~~ division.

SECTION 169. Arkansas Code § 12-75-119(a)(2)(C), concerning a statewide mutual aid system, is amended to read as follows:

(C) The chief executive officer of the governing body shall provide a copy of the resolution to the ~~Arkansas Department~~ Division of Emergency Management within ten (10) days of the enactment of the resolution.

SECTION 170. Arkansas Code § 12-75-119(c)(3), concerning a statewide mutual aid system, is amended to read as follows:

(3)(A) A request for assistance is not required to be reported to the ~~department~~ division in advance of or concurrent with the request.

(B) However, a request for assistance shall be reported to the ~~department~~ division in writing as soon as practical.

SECTION 171. Arkansas Code § 12-75-119(d)(3)(A), concerning a statewide mutual aid system, is amended to read as follows:

(3)(A) An emergency responder from a participating emergency jurisdiction responding to a request for assistance from another

participating emergency jurisdiction shall remain under the command control of his or her home jurisdiction, including use of medical protocols, standard operating procedures, and other protocols and procedures identified by the ~~department~~ division.

SECTION 172. Arkansas Code § 12-75-119(f)(1)(B) and (C), concerning a statewide mutual aid system, are amended to read as follows:

(B) A request for reimbursement shall be made in accordance with procedures developed by the Arkansas Homeland Security Advisory Group and adopted by the ~~department~~ division as a rule under the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

(C) The ~~department~~ division shall not provide reimbursement for expenses associated with training exercises except in accordance with applicable rules.

SECTION 173. Arkansas Code § 12-75-126(b), concerning public safety officers, is amended to read as follows:

(b) The Director of the ~~Arkansas Department~~ Division of Emergency Management and persons he or she may designate from the state and local offices of emergency management staffing patterns shall be sworn public safety officers as defined and limited by this chapter.

SECTION 174. Arkansas Code § 12-75-126(d)(1)(A), concerning public safety officers, is amended to read as follows:

(d)(1)(A) The director may determine what constitutes ~~an Arkansas Department~~ the Division of Emergency Management uniform for ~~department~~ division personnel.

SECTION 175. Arkansas Code § 12-75-126(d)(2), concerning public safety officers, is amended to read as follows:

(2) The uniform may include a badge or identification card, or both, of appropriate design and dimensions to identify local office of emergency management personnel as bona fide emergency management workers within their jurisdiction and ~~department~~ division personnel as bona fide emergency workers for the state.

SECTION 176. Arkansas Code § 12-75-126(e), concerning public safety officers, is amended to read as follows:

(e) Any person issued or provided a badge, identification, or uniform described in subsection (d) of this section shall wear, carry, or display it at such times and places as shall be designated or required by the chief executive of the local jurisdiction for local office of emergency management personnel and by the director for ~~department~~ division personnel.

SECTION 177. Arkansas Code § 12-75-129(a)(1)(B)(ii)(b), concerning workers' compensation benefits for emergency responders, is amended to read as follows:

(b) ~~Arkansas Department~~ Division of Emergency Management; or

SECTION 178. Arkansas Code § 12-75-129(f), concerning workers' compensation benefits for emergency responders, is amended to read as follows:

(f) An emergency responder shall be deemed duly registered and qualified when he or she is a member of and has on file in either a local office of emergency management or in the ~~Arkansas Department of Emergency Management~~ division the following information:

- (1) Name and address;
- (2) Date enrolled; and
- (3) Class of service assigned.

SECTION 179. Arkansas Code § 12-75-131(a)(1), concerning disaster relief pay from the Arkansas Department of Emergency Management, is amended to read as follows:

(a)(1) The ~~Arkansas Department~~ Division of Emergency Management is authorized to provide special compensation to certain employees for each full pay period of eighty (80) hours worked in a job which requires the provision of on-site emergency disaster relief services in cases of wartime, human-made, or natural disasters.

SECTION 180. Arkansas Code § 12-75-131(a)(3)(B), concerning disaster relief pay from the Arkansas Department of Emergency Management, is amended

to read as follows:

(B) Payment will be controlled through personnel actions by the Director of the ~~Arkansas Department~~ Division of Emergency Management.

SECTION 181. Arkansas Code § 12-75-132(a)-(c), concerning the creation of the Arkansas Homeland Security Advisory Group, are amended to read as follows:

(a) There is created an advisory body to the ~~Arkansas Department~~ Division of Emergency Management, to be known as the "Arkansas Homeland Security Advisory Group".

(b) The advisory group shall consist of representatives of federal, state, and local agencies and professional associations as determined by the Director of the ~~Arkansas Department~~ Division of Emergency Management. The advisory group shall include, at a minimum, representatives of the following:

- (1) ~~Arkansas Department~~ Division of Emergency Management;
- (2) ~~The~~ Arkansas Ambulance Association;
- (3) Arkansas Association of Chiefs of Police;
- (4) Arkansas Association of Fire Chiefs;
- (5) Arkansas Citizen Corps Point of Contact;
- (6) ~~Arkansas Department~~ Division of Environmental Quality;
- (7) Department of Health;
- (8) Arkansas Emergency Management Association, Inc.;
- (9) Arkansas Highway Police Division of the Arkansas Department of Transportation;
- (10) Arkansas Livestock and Poultry Commission;
- (11) Arkansas Municipal League;
- (12) National Guard;
- (13) 61st Civil Support Team of the Arkansas National Guard;
- (14) Arkansas Sheriffs' Association;
- (15) ~~Department~~ Division of Arkansas State Police;
- (16) State Plant Board;
- (17) County Judges Association of Arkansas;
- (18) Centers for Disease Control and Prevention;
- (19) ~~Department~~ Division of Information Systems;
- (20) Federal Bureau of Investigation;
- (21) Health Resources and Services Administration of the United

States Department of Health and Human Services;

(22) United States Secret Service;

(23) United States Attorney for the Eastern District of Arkansas; and

(24) United States Attorney for the Western District of Arkansas.

(c) A representative of the ~~Arkansas Department~~ Division of Emergency Management shall serve as chair of the advisory group.

SECTION 182. Arkansas Code § 12-75-132(f)(3), concerning the creation of the Arkansas Homeland Security Advisory Group, is amended to read as follows:

(3) The advisory group shall submit the report annually to the Director of the ~~Arkansas Department~~ Division of Emergency Management and to the House Committee on State Agencies and Governmental Affairs and the Senate Committee on State Agencies and Governmental Affairs.

SECTION 183. Arkansas Code § 12-78-105(a), concerning implementation and equipment purchases by the Arkansas Department of Emergency Management, is amended to read as follows:

(a)(1) From funds appropriated therefor, the ~~Arkansas Department~~ Division of Emergency Management shall provide to eligible local offices of emergency management and key state agencies assigned an emergency role under the State of Arkansas Emergency Operations Plan matching grants not to exceed fifty percent (50%) of the cost of the acquisition of the emergency warning and communications equipment.

(2) The grant shall be awarded only for the acquisition of equipment for which the Director of the ~~Arkansas Department~~ Division of Emergency Management has granted specific approval.

SECTION 184. Arkansas Code § 12-79-103(1), concerning definitions regarding the Arkansas Hazardous and Toxic Materials Emergency Notification Act, is repealed.

~~(1) "Director" means the Director of the Arkansas Department of Emergency Management established under the Arkansas Emergency Services Act of 1973, § 12-75-101 et seq.;~~

SECTION 185. The introductory language of Arkansas Code § 12-79-104(a), concerning the HAZMAT incident or accident reporting system, is amended to read as follows:

(a) The Director of the ~~Arkansas Department~~ Division of Emergency Management shall:

SECTION 186. Arkansas Code § 12-82-104(a)(1)(A), concerning the creation of the State Emergency Response Commission, is amended to read as follows:

(a)(1) The State Emergency Response Commission shall be composed of:

(A) The directors of the Department of Health, the ~~Arkansas Department~~ Division of Environmental Quality, the ~~Department~~ Division of Arkansas State Police, the ~~Arkansas Department~~ Division of Emergency Management, the ~~Department~~ Division of Labor, the Arkansas Fire Training Academy, and the Arkansas Department of Transportation, and the Adjutant General, or their designated representatives;

SECTION 187. Arkansas Code § 12-83-102(1) and (2), concerning the policy and purpose of the Emergency Volunteer Reserve Cadre, are amended to read as follows:

(1) To establish within the ~~Arkansas Department~~ Division of Emergency Management an Emergency Volunteer Reserve Cadre of persons trained and experienced in certain functions related to disaster response and recovery operations;

(2) To provide authority to the Director of the ~~Arkansas Department~~ Division of Emergency Management to call the emergency volunteer reserve personnel into active service upon declaration of a state of disaster emergency by the Governor or the President of the United States or when, in the opinion of the director, a pending natural, technological, or national emergency may require the immediate services of the personnel;

SECTION 188. Arkansas Code § 12-83-104(a)(1), concerning recruitment, service, deployment, and discharge by the Arkansas Department of Emergency Management, is amended to read as follows:

(a)(1) The ~~Arkansas Department~~ Division of Emergency Management shall

establish a system to recruit personnel with special skills or experience related to emergency response and recovery operations and provide initial familiarization training and periodic proficiency training as necessary for members of the Emergency Volunteer Reserve Cadre to ensure their readiness for immediate deployment for response and recovery activities.

SECTION 189. Arkansas Code § 12-83-104(b), concerning recruitment, service, deployment, and discharge by the Arkansas Department of Emergency Management, is amended to read as follows:

(b) The ~~department~~ division shall establish an administrative management system to recruit and maintain qualified personnel and establish a fiscal management system to ensure prompt and reasonable reimbursement of authorized expenses.

SECTION 190. Arkansas Code § 12-83-104(e), concerning recruitment, service, deployment, and discharge by the Arkansas Department of Emergency Management, is amended to read as follows:

(e) When called into active service by the Director of the ~~Arkansas Department~~ Division of Emergency Management, members of the cadre shall be under the operational and administrative management of the ~~department~~ division and such employees of that office who may be designated to supervise their duties.

SECTION 191. Arkansas Code § 12-83-105(a)(1), concerning reimbursement of the Emergency Volunteer Reserve Cadre by the Arkansas Department of Emergency Management, is amended to read as follows:

(a)(1) Any persons seeking enrollment into the Emergency Volunteer Reserve Cadre shall be notified that no salary, retainer, emoluments, or other monetary reimbursement shall be made for their services, except reimbursement for food, lodging, and travel utilizing a privately owned vehicle when so authorized by the Director of the ~~Arkansas Department~~ Division of Emergency Management.

SECTION 192. The introductory language of Arkansas Code § 12-86-204, concerning the policies of the Arkansas Department of Emergency Management, is amended to read as follows:

The Director of the ~~Arkansas Department~~ Division of Emergency Management shall coordinate efforts with other state agencies and appropriate organizations to:

SECTION 193. Arkansas Code § 12-88-103(2)(C)(ii), concerning the definition of “declared state disaster or emergency” under the Business Rapid Response to State Disasters Facilitation Act, is amended to read as follows:

(ii) That the Director of the ~~Arkansas Department~~ Division of Emergency Management designates as a disaster or emergency upon request of and notification by a registered business;

SECTION 194. Arkansas Code § 14-14-1314(a)(1)(A)(ii), concerning constable training and uniform requirements, is amended to read as follows:

(ii) Each year after completing the certification course required under subdivision (a)(1)(A)(i) of this section, he or she shall satisfactorily complete sixteen (16) hours of training ~~provided~~ certified by the Arkansas Commission on Law Enforcement Standards and Training.

SECTION 195. Arkansas Code § 14-14-1310(c)(3)(A), concerning the filling of vacancies in elective offices, is amended to read as follows:

(3)(A) The county judge and the sheriff shall file the executive order and the resolution with policy statement under subdivisions (c)(1) and (2) of this section with the county clerk, and a file-marked copy shall be provided to the Director of the ~~Arkansas Department~~ Division of Emergency Management no later than sixty (60) days from the beginning of the elected term of office.

SECTION 196. The introductory language of Arkansas Code § 14-15-308(a), concerning training and instruction for medicolegal death investigators, coroners, and deputy coroners, is amended to read as follows:

(a) The ~~Arkansas Commission on~~ Division of 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:

SECTION 197. The introductory language of Arkansas Code § 14-15-308(a), concerning training and instruction for medicolegal death investigators, coroners, and deputy coroners, is amended to read as follows:

(b) The ~~commission~~ division shall:

SECTION 198. Arkansas Code § 14-15-308(b)(2)(B), concerning training and instruction for medicolegal death investigators, coroners, and deputy coroners, is amended to read as follows:

(B) The ~~commission~~ division may receive funding for coroner training through grants-in-aid, donations, and the County Coroners Continuing Education Fund.

SECTION 199. Arkansas Code § 15-45-211(b), concerning state parks as bird sanctuaries, is amended to read as follows:

(b) It shall be unlawful for any person to trap, hunt, shoot, or attempt to shoot or molest in any manner any bird or wild fowl or to rob birds' nests or wild fowl's nests in these areas. However, if starlings or similar birds are found to be congregating in such numbers in a particular locality as in the opinion of the Department of Health constitutes a nuisance or a menace to health or property, then officials of the ~~Department of Health~~ department, after giving three (3) days' notice of the time and place of the meeting, shall meet with representatives of the Audubon Society, bird club, garden club, or humane society, or with as many of those clubs as are found to exist in the state, to discuss possible solutions to the problem. If, as a result of the meeting, no satisfactory alternative is found to abate the nuisance, then the birds may be destroyed in such numbers and in such manner as is deemed advisable by the ~~Department of Health~~ department under the supervision of the Director of the ~~Department~~ Division of Arkansas State Police.

SECTION 200. Arkansas Code § 16-90-706(a)(4), concerning the logistical support and powers of the Crime Victims Reparations Board, is amended to read as follows:

(4)(A) The board shall be provided such office, support staff, and secretarial services as necessary by the ~~office of the Attorney General~~ Department of Public Safety.

(B) The support staff and secretarial services described in subdivision (a)(4)(A) of this section may also be assigned by the ~~Attorney General~~ Secretary of the Department of Public Safety to engage in additional ~~legal~~ work in other areas that do not involve crime victims reparations.

SECTION 201. Arkansas Code § 16-90-707(a), concerning the annual report by the Crime Victims Reparations Board, is amended to read as follows:

(a) The Crime Victims Reparations Board shall prepare and transmit annually a report of its activities to the ~~Governor~~ Secretary of the Department of Public Safety.

SECTION 202. Arkansas Code § 16-90-715 is amended to read as follows:

16-90-715. Action by state against convicted person for recovery of reparations.

(a)(1) Whenever any person is convicted of a crime and an order for the payment of reparations is or has been made under this subchapter for a personal injury or death resulting from the act or omission constituting the crime for which conviction was had, the ~~Attorney General~~ Secretary of the Department of Public Safety may institute a civil action against the convicted person for the recovery of all or any part of the reparations paid.

(2)(A) The suit shall be instituted in the circuit court having jurisdiction in the county in which the person resides or is found or in Pulaski County.

(B) The circuit court shall have jurisdiction to hear, determine, and render judgment in the action.

(3)(A) Any amount recovered under this subsection shall be credited to the Crime Victims Reparations Revolving Fund.

(B) If an amount greater than that paid pursuant to the order for payment of reparations is recovered and collected in the action, the Crime Victims Reparations Board shall pay the balance to the claimant.

(b) The board shall provide the ~~Attorney General~~ secretary with such information, data, and reports as he or she may require to institute actions in accordance with this section.

(c) The secretary may request the assistance of the Attorney General in instituting a civil action against the convicted person for the recovery of all or any part of the reparations paid.

SECTION 203. Arkansas Code § 17-39-102(1), concerning the definition of "intern" under the Polygraph Examiners Licensing Act, is amended to read as follows:

(1) "Intern" means a person who holds a valid intern polygraph examiner license issued by the Director of the ~~Department~~ Division of Arkansas State Police;

SECTION 204. Arkansas Code § 17-39-103(b), concerning penalties regarding licensed polygraph examiner, is amended to read as follows:

(b) It is unlawful for a person to conduct a polygraph examination in the State of Arkansas unless that person holds a valid license as a polygraph examiner or intern that is issued by the Director of the ~~Department~~ Division of Arkansas State Police.

SECTION 205. Arkansas Code § 17-39-104(a), concerning an injunction for the violation of the Polygraph Examiners Licensing Act, is amended to read as follows:

(a) If a person violates this chapter, the Director of the ~~Department~~ Division of Arkansas State Police, through the Attorney General, may apply in any circuit court of competent jurisdiction for an order enjoining the violation or for an order enforcing compliance with this chapter.

SECTION 206. Arkansas Code § 17-39-106(a), concerning the powers and duties of the Director of the Department of Arkansas State Police under the Polygraph Examiners Licensing Act, is amended to read as follows:

(a) The Director of the ~~Department~~ Division of Arkansas State Police may perform the functions and duties enumerated in this chapter with respect to the licensing of polygraph examiners and interns and perform all other acts incidental and necessary to the proper performance of the functions and duties as prescribed in this chapter.

SECTION 207. Arkansas Code § 17-39-110 is amended to read as follows:

17-39-110. Director of ~~the Department~~ Division of Arkansas State Police – Designee.

The Director of the ~~Department~~ Division of Arkansas State Police may designate a person on his or her staff to administer and carry out the provisions of this chapter.

SECTION 208. Arkansas Code § 17-39-201 is amended to read as follows:

17-39-201. License required.

It is unlawful for a person, including a city, county, or state employee, to administer polygraph examinations or hold himself or herself out as a polygraph examiner or intern without a polygraph examiner license or intern polygraph examiner license approved and issued by the Director of the ~~Department~~ Division of Arkansas State Police.

SECTION 209. Arkansas Code § 17-39-202(4), concerning qualifications for a polygraph examiner license or an intern polygraph examiner license, is amended to read as follows:

(4) Is a graduate of a polygraph examiners course approved by the Director of the ~~Department~~ Division of Arkansas State Police and has satisfactorily completed an internship of not less than six (6) months;

SECTION 210. Arkansas Code § 17-39-203 is amended to read as follows:

17-39-203. Initial polygraph examiner license or intern polygraph examiner license application.

(a) An application for an initial polygraph examiner license or intern polygraph examiner license shall be made to the Director of the ~~Department~~ Division of Arkansas State Police on forms prescribed by the director and shall be accompanied by the required fee as set out in § 17-39-207.

(b) The burden is on the applicant to provide sufficient information to bring himself or herself within the licensing standards and allow the director to determine if the applicant is qualified to hold a license under this subchapter and subchapter 1.

SECTION 211. The introductory language of Arkansas Code § 17-39-204(a), concerning a polygraph examiner license, is amended to read as follows:

(a) In addition to other application requirements, a polygraph examiner licensee or an intern polygraph examiner licensee who does not maintain a place of business in Arkansas shall file with the Director of the ~~Department~~ Division of Arkansas State Police an irrevocable consent that:

SECTION 212. The introductory language of Arkansas Code § 17-39-205, concerning a polygraph examiner license in another state or territory, is amended to read as follows:

An applicant who is a polygraph examiner licensed under the laws of another state or territory of the United States may be issued a two-year license by the Director of the ~~Department~~ Division of Arkansas State Police upon the production of satisfactory proof that the applicant:

SECTION 213. Arkansas Code § 17-39-206(a)(1), concerning intern polygraph examiner license, is amended to read as follows:

(a)(1) The Director of the ~~Department~~ Division of Arkansas State Police shall issue an intern polygraph examiner license to an applicant, provided that he or she submits a properly completed application, meets the licensing requirements, and pays the required fee under § 17-39-207.

SECTION 214. Arkansas Code § 17-39-208 is amended to read as follows:  
17-39-208. Display of license and signature.

A polygraph examiner license, an intern polygraph examiner license, or the photo identification card issued by the Director of the ~~Department~~ Division of Arkansas State Police shall be prominently displayed at the place of business of the licensee or worn on his or her person.

SECTION 215. Arkansas Code § 17-39-209 is amended to read as follows:  
17-39-209. Notification of address change.

Notice in writing shall be given to the Director of the ~~Department~~ Division of Arkansas State Police by the polygraph examiner licensee or the intern of any change of principal business location, telephone number, or email address within thirty (30) days of the time he or she changes location, telephone number, or email address.

SECTION 216. Arkansas Code § 17-39-210(a), concerning expiration and

renewal of polygraph examiner license, is amended to read as follows:

(a) Each polygraph examiner license shall be issued for the term of two (2) years and, unless suspended or revoked, may be renewed with documentation prescribed by the Director of the ~~Department~~ Division of Arkansas State Police.

SECTION 217. The introductory language of Arkansas Code § 17-39-211, concerning grounds for denial, suspension, or revocation of intern polygraph examiner license, is amended to read as follows:

The Director of the ~~Department~~ Division of Arkansas State Police may deny, suspend, or revoke a polygraph examiner license or an intern polygraph examiner license on any one (1) or more of the following grounds:

SECTION 218. Arkansas Code § 17-39-212(a), concerning criminal background checks in regards to a polygraph examiner license, is amended to read as follows:

(a) Each first-time applicant and applicant for license renewal shall be required to apply to the Identification Bureau of the ~~Department~~ Division of Arkansas State Police for a state and national criminal background check to be conducted by the Identification Bureau of the ~~Department~~ Division of Arkansas State Police and the Federal Bureau of Investigation.

SECTION 219. Arkansas Code § 17-39-212(c), concerning criminal background checks in regards to a polygraph examiner license, is amended to read as follows:

(c) The applicant shall sign a release of information to the Director of the ~~Department~~ Division of Arkansas State Police and shall be responsible for the payment of any fee associated with the state and national criminal background check.

SECTION 220. Arkansas Code § 17-39-213(a)(1)(A), concerning the proceedings regarding denial, suspension, or revocation of polygraph examiner license, is amended to read as follows:

(a)(1)(A) When the Director of the ~~Department~~ Division of Arkansas State Police seeks to deny an application or suspend or revoke a license issued under this chapter, the director shall notify the applicant or

licensee in person or by certified mail, return receipt requested, at the last address supplied to the director by the applicant or licensee.

SECTION 221. Arkansas Code § 17-39-214(a), concerning an appeal of a denial, suspension, or revocation of a polygraph examiner license, is amended to read as follows:

(a) An applicant or licensee dissatisfied with the action of the Director of the ~~Department~~ Division of Arkansas State Police in denying, suspending, or revoking a license may appeal the decision of the director under the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

SECTION 222. Arkansas Code § 17-39-215 is amended to read as follows:  
17-39-215. Rules.

The Director of the ~~Department~~ Division of Arkansas State Police may promulgate rules to permit the efficient administration of this chapter.

SECTION 223. Arkansas Code § 17-39-303 is amended to read as follows:  
17-39-303. Applicant burden of proof.

An applicant who seeks licensure under this subchapter as a certified voice stress analysis examiner has the burden to provide sufficient information to bring himself or herself within the licensing standards that would allow the Director of the ~~Department~~ Division of Arkansas State Police to determine if the applicant is qualified to hold the license.

SECTION 224. The introductory language of Arkansas Code § 17-39-304, concerning application for license, proof, and fee for a certified voice stress analysis examiner, is amended to read as follows:

A person who desires to be licensed as a certified voice stress analysis examiner and conduct voice stress analysis examinations within this state shall apply for licensure to the Director of the ~~Department~~ Division of Arkansas State Police and shall submit with the application documentation that the applicant:

SECTION 225. Arkansas Code § 17-39-304(7), concerning application for license, proof, and fee for a certified voice stress analysis examiner, is amended to read as follows:

(7) Has successfully completed a course of training that has been approved by the Director of the ~~Department~~ Division of Arkansas State Police offering a certification in the operation of the voice stress analysis machine and submits a copy of the certification with the application; and

SECTION 226. Arkansas Code § 17-39-305(b)(1), concerning fees for certified voice stress analysis examiner license, is amended to read as follows:

(b)(1) All fees received by the Director of the ~~Department~~ Division of Arkansas State Police under this subchapter are nonrefundable and shall be deposited into the State Treasury as special revenues to the credit of the ~~Department~~ Division of Arkansas State Police Fund.

SECTION 227. The introductory language of Arkansas Code § 17-39-306, concerning grounds for denying, suspending, or revoking a voice stress analysis examiner license, is amended to read as follows:

The Director of the ~~Department~~ Division of Arkansas State Police may deny, suspend, or revoke a license of a certified voice stress analysis examiner on one (1) or more of the following grounds:

SECTION 228. Arkansas Code § 17-39-307 is amended to read as follows:  
17-39-307. Rules.

The Director of the ~~Department~~ Division of Arkansas State Police may promulgate rules to permit the efficient administration of this subchapter.

SECTION 229. Arkansas Code § 17-39-309(a), concerning a criminal background check for an applicant for renewal as a certified voice stress analysis examiner, is amended to read as follows:

(a)(1) Each first-time applicant and each applicant for renewal of licensure as a certified voice stress analysis examiner shall apply to the ~~Department~~ Division of Arkansas State Police for a state and national criminal background check to be conducted by the ~~department~~ division and the Federal Bureau of Investigation.

(2) Criminal history records from the Arkansas Crime Information Center shall be available to the Director of the ~~Department~~ Division of Arkansas State Police for the review of an applicant's qualifications.

SECTION 230. Arkansas Code § 17-39-309(d), concerning a criminal background check for an applicant for renewal as a certified voice stress analysis examiner, is amended to read as follows:

(d) Upon completion of the state and national criminal background check, the ~~department~~ division shall forward to the director all releasable information obtained concerning the applicant.

SECTION 231. Arkansas Code § 17-39-311(a), concerning an injunction for violation of the subchapter, is amended to read as follows:

(a) If a person violates this subchapter, the Director of the ~~Department~~ Division of Arkansas State Police, through the Attorney General, may apply in the circuit court having jurisdiction for an order enjoining the violation or for an order enforcing compliance with this subchapter.

SECTION 232. Arkansas Code § 17-39-313(a), concerning the administration and the powers and duties of the Department of Arkansas State Police, is amended to read as follows:

(a) The Director of the ~~Department~~ Division of Arkansas State Police may perform the functions and duties enumerated within this subchapter with respect to the licensing of certified voice stress analysis examiners and perform all other acts incidental and necessary to the proper performance of the functions and duties as prescribed in this subchapter.

SECTION 233. Arkansas Code § 17-40-102(8)(B), concerning the definition of "assistant training administrator" under the Private Security Agency, Private Investigator, and School Security Licensing and Credentialing Act, is amended to read as follows:

(B) The assistant training administrator shall certify to the Director of the ~~Department~~ Division of Arkansas State Police that the required training has been completed;

SECTION 234. Arkansas Code § 17-40-102(14), concerning the definition of "credential" under the Private Security Agency, Private Investigator, and School Security Licensing and Credentialing Act, is amended to read as follows:

(14) "Credential" means an authorization granted by the ~~Department~~ Division of Arkansas State Police to an individual to perform the duties of a private investigator, alarm systems monitor, alarm systems apprentice, alarm systems technician, alarms systems agent, private security officer, commissioned security officer, commissioned school security officer, assistant training administrator, training administrator, training instructor, manager, or branch office manager;

SECTION 235. Arkansas Code § 17-40-103(b), concerning persons exempt under the Private Security Agency, Private Investigator, and School Security Licensing and Credentialing Act, is amended to read as follows:

(b)(1) If the security department of a private business or school hires or employs an individual in the capacity of a commissioned security officer or commissioned school security officer, the security department of the private business or school is not required to make application to the ~~Department~~ Division of Arkansas State Police for any license under this chapter.

(2) However, the private business or school is required to be recognized by the Director of the ~~Department~~ Division of Arkansas State Police as a private business or school for the purpose of employing the commissioned security officer or commissioned school security officer.

SECTION 236. Arkansas Code § 17-40-105 is amended to read as follows:  
17-40-105. Notice of violation.

The Director of the ~~Department~~ Division of Arkansas State Police shall not deny, suspend, revoke, or fine any person required to be licensed, credentialed, or commissioned under this chapter unless the person has been notified of the alleged violation of this chapter within three hundred sixty-five (365) days after the occurrence of the alleged violation.

SECTION 237. Arkansas Code § 17-40-106(a), concerning exclusive regulation and authority of a political subdivision, is amended to read as follows:

(a) The regulation of investigation, security, and alarm systems companies is exclusive to the Director of the ~~Department~~ Division of Arkansas State Police.

SECTION 238. Arkansas Code § 17-40-204 is amended to read as follows:  
17-40-204. Administration.

(a) The Director of the ~~Department~~ Division of Arkansas State Police shall perform such duties as may be prescribed by the director and shall have no financial, personal, or business interests in an entity licensed under this chapter.

(b) All legal processes and all documents required by law shall be served upon the director or his or her designee or filed within the ~~Department~~ Division of Arkansas State Police.

SECTION 239. The introductory language of Arkansas Code § 17-40-207(a), concerning the powers and duties of the Director of the Department of Arkansas State Police, is amended to read as follows:

(a) The Director of the ~~Department~~ Division of Arkansas State Police shall have the following powers and duties:

SECTION 240. Arkansas Code § 17-40-208(a), concerning the establishment of minimum training requirements for personnel by the Director of the Department of Arkansas State Police, is amended to read as follows:

(a) The Director of the ~~Department~~ Division of Arkansas State Police shall establish minimum training requirements under this chapter for a private security officer, a commissioned security officer, and a commissioned school security officer.

SECTION 241. Arkansas Code § 17-40-209(b) and (c), concerning the fees and disposition of funds for investigating and credentialing private investigators or licensing private security agencies, are amended to read as follows:

(b) To assure that the intent is carried out, the expenditure for personal services and operating expenses associated with investigating and licensing, credentialing, or commissioning of individuals and agencies required to be licensed, credentialed, or commissioned under this chapter shall be limited in the aggregate to the amount deposited into the State Treasury to the credit of the ~~Department~~ Division of Arkansas State Police Fund from license, credential, and commission fees of the individuals and

agencies.

(c) In order to provide sufficient revenues to carry out the duties and functions prescribed by this chapter, the Director of the ~~Department~~ Division of Arkansas State Police shall levy fees for licenses, credentials, and commissions as authorized by this chapter as determined by the director.

SECTION 242. Arkansas Code § 17-40-209(e)(1), concerning the fees and disposition of funds for investigating and credentialing private investigators or licensing private security agencies, is amended to read as follows:

(e)(1) All funds received by the director shall be deposited into the State Treasury as special revenues to the credit of the ~~Department~~ Division of Arkansas State Police Fund.

SECTION 243. Arkansas Code § 17-40-301(g), concerning unlawful acts regarding private investigators, is amended to read as follows:

(g) A person shall not program an automatic dialing device to call a law enforcement agency, fire department, emergency health service, or a state, city, or county agency without the prior approval of the Director of the ~~Department~~ Division of Arkansas State Police.

SECTION 244. The introductory language of Arkansas Code § 17-40-302(a), concerning fees for private investigators, is amended to read as follows:

(a) The Director of the ~~Department~~ Division of Arkansas State Police may assess fees under this chapter as follows:

SECTION 245. Arkansas Code § 17-40-306(a)(4), concerning license, credential, and applicant qualifications for a private investigator, is amended to read as follows:

(4) Be in compliance with any other reasonable qualifications that the Director of the ~~Department~~ Division of Arkansas State Police may set by rule;

SECTION 246. Arkansas Code § 17-40-306(d)(1)(B), concerning license, credential, and applicant qualifications for a private investigator, is

amended to read as follows:

(B) A Class A misdemeanor involving theft, sexual offenses, violence, an element of dishonesty, or a crime against a person as determined by the ~~Department of Arkansas State Police~~ division under subsection (e) of this section; or

SECTION 247. Arkansas Code § 17-40-306(e), concerning license, credential, and applicant qualifications for a private investigator, is amended to read as follows:

(e) The ~~department~~ division shall promulgate rules within ninety (90) days of May 23, 2016, that determine the offenses under subdivision (d)(1)(B) of this section that constitute a Class A misdemeanor involving theft, sexual offenses, violence, an element of dishonesty, or a crime against a person.

SECTION 248. The introductory language of Arkansas Code § 17-40-307(a), concerning a license, credential, application, and examination for a private investigator, is amended to read as follows:

(a) An application for a license or credential under this chapter shall be in the form prescribed by the Director of the ~~Department~~ Division of Arkansas State Police and shall include:

SECTION 249. Arkansas Code § 17-40-307(e)(1)(A), concerning a license, credential, application, and examination for a private investigator, is amended to read as follows:

(e)(1)(A) Each first-time applicant and applicant for license or credential renewal shall apply to the ~~Department~~ Division of Arkansas State Police for a state and national criminal background check to be conducted by the ~~department~~ division and the Federal Bureau of Investigation.

SECTION 250. Arkansas Code § 17-40-307(e)(4), concerning a license, credential, application, and examination for a private investigator, is amended to read as follows:

(4) Upon completion of the state and national criminal background check, the ~~department~~ division shall forward to the director all releasable information obtained concerning the applicant.

SECTION 251. Arkansas Code § 17-40-308(a), concerning a license or credential, and insurance prerequisite for a private investigator, is amended to read as follows:

(a) A Class B, Class C, or Class G license shall not be issued to an applicant under this chapter unless the applicant files with the Director of the ~~Department~~ Division of Arkansas State Police proof of a policy of continuing public liability insurance in a sum not less than five hundred thousand dollars (\$500,000), conditioned to compensate any person for damages, including, but not limited to, bodily injury caused by wrongful acts of the principal or its servants, officers, agents, and employees in the conduct of any business licensed by this chapter.

SECTION 252. Arkansas Code § 17-40-310 is amended to read as follows:

17-40-310. License and credential – Form.

A license or credential when issued shall be in the form prescribed by the Director of the ~~Department~~ Division of Arkansas State Police and shall include the:

- (1) Name of the licensee or credential holder;
- (2) Name under which the licensee or credential holder is to operate; and
- (3) License or credential number and date of expiration.

SECTION 253. Arkansas Code § 17-40-312 is amended to read as follows:

17-40-312. License and credential – Termination.

The Director of the ~~Department~~ Division of Arkansas State Police shall prescribe by rule the procedure under which a license or credential issued under this chapter may be terminated by the licensee or credential holder.

SECTION 254. Arkansas Code § 17-40-313(a)(2), concerning the expiration and renewal of a license, is amended to read as follows:

(2) To renew an unexpired license or credential, the licensee or the credential holder shall apply for renewal on a form prescribed by the Director of the ~~Department~~ Division of Arkansas State Police and pay the renewal fee prescribed by this chapter.

SECTION 255. Arkansas Code § 17-40-314(b)(2), concerning managers of

the business of each licensee, is amended to read as follows:

(2) Made a satisfactory showing to the Director of the ~~Department~~ Division of Arkansas State Police that the person has the qualifications prescribed by this chapter.

SECTION 256. Arkansas Code § 17-40-315(a), concerning the duties of licensee or credential holders, is amended to read as follows:

(a) Each licensee or credential holder shall maintain a record containing the information relative to his or her employees as may be prescribed by the Director of the ~~Department~~ Division of Arkansas State Police.

SECTION 257. Arkansas Code § 17-40-316(a), concerning the change of address, telephone number, email address, name, or officers, or partners for licenses and credentials, is amended to read as follows:

(a) A licensee or credential holder shall notify the Director of the ~~Department~~ Division of Arkansas State Police within fourteen (14) days after a change of the licensee's or credential holder's name, address, telephone number, email address, or officer or partner.

SECTION 258. Arkansas Code § 17-40-317 is amended to read as follows:

17-40-317. Licensees and credential holders – Windup period.

When the individual on the basis of whose qualifications a license or credential under this chapter has been obtained ceases to be connected with the business for which a license or credential under this chapter is required, the business may be carried on for a temporary period under such terms and conditions as the Director of the ~~Department~~ Division of Arkansas State Police shall provide by rule.

SECTION 259. Arkansas Code § 17-40-318 is amended to read as follows:

17-40-318. Training requirements for alarm systems company.

The Director of the ~~Department~~ Division of Arkansas State Police shall promulgate rules regarding the training requirements for alarm systems companies, alarm systems apprentices, alarm systems monitors, alarm systems technicians, and alarm systems agents.

SECTION 260. Arkansas Code § 17-40-325(a), concerning a license or credential application, is amended to read as follows:

(a) A person who is employed as a private investigator, a manager, a private security officer, an alarm systems technician, an alarm systems monitor, an alarm systems apprentice, or an alarm systems agent and who is required to be licensed or credentialed under this chapter shall submit a properly completed application for the license or credential to the Director of the ~~Department~~ Division of Arkansas State Police within fourteen (14) calendar days after the commencement of employment.

SECTION 261. Arkansas Code § 17-40-329(a)(1), concerning issuance of credential photo identification card, transfer and fee, and cancellation, is amended to read as follows:

(a)(1) A credential photo identification card of a size, a design, and content as may be determined by the Director of the ~~Department~~ Division of Arkansas State Police shall be issued by the ~~Department~~ Division of Arkansas State Police under this chapter.

SECTION 262. Arkansas Code § 17-40-330 is amended to read as follows:  
17-40-330. Authority to issue commission to carry a firearm.

The Director of the ~~Department~~ Division of Arkansas State Police may determine the qualifications for and issue an authorization to carry a firearm in the form of a commission to a qualified security officer or qualified school security officer that shall be held during the course of his or her employment.

SECTION 263. Arkansas Code § 17-40-337(a)(4), concerning the commission and applicant qualifications for a commissioned security officer or a commissioned school security officer, is amended to read as follows:

(4) Does not meet the qualifications for a commission as determined by the Director of the ~~Department~~ Division of Arkansas State Police;

SECTION 264. Arkansas Code § 17-40-337(a)(6)(A) concerning the commission and applicant qualifications for a commissioned security officer or a commissioned school security officer, is amended to read as follows:

(6)(A) Has not successfully completed a state and national criminal background check to be conducted by the ~~Department~~ Division of Arkansas State Police and the Federal Bureau of Investigation.

SECTION 265. Arkansas Code § 17-40-339(a), concerning notice to law enforcement regarding commissioned security officers, is amended to read as follows:

(a) The Director of the ~~Department~~ Division of Arkansas State Police shall notify the sheriff of the county and the chief of police of the city, if applicable, in which the applicant resides of the application for a commission to be a commissioned security officer or a commissioned school security officer.

SECTION 266. Arkansas Code § 17-40-340 is amended to read as follows:

17-40-340. Commission – Issuance of identification card.

Each commission as a commissioned security officer or a commissioned school security officer issued under this chapter shall be in the form of a commission photo identification card designed by the Director of the ~~Department~~ Division of Arkansas State Police that shall identify:

- (1) The commission holder;
- (2) The security department of a private business or school by whom the commission holder is employed;
- (3) A photograph of the credential holder; and
- (4) A credential number and date of expiration.

SECTION 267. Arkansas Code § 17-40-342 is amended to read as follows:

17-40-342. Commission – Termination.

If the holder of a commission terminates his or her employment with the licensee or the security department of a private business or school, he or she shall return the commission photo identification card to the Director of the ~~Department~~ Division of Arkansas State Police within seven (7) days of the date of termination of the employment.

SECTION 268. Arkansas Code § 17-40-344 is amended to read as follows:

17-40-344. Commission – Denial, suspension, or revocation.

The Director of the ~~Department~~ Division of Arkansas State Police may

deny, suspend, or revoke a commission as a commissioned school security officer or a commission as a commissioned security officer if the applicant for a commission or the commission holder is indicted or arrested for one (1) of the following offenses or a comparable offense in another state:

- (1) A felony;
- (2) A Class A misdemeanor;
- (3) A crime involving an act of violence;
- (4) A crime involving the use of a firearm;
- (5) A crime involving the use of alcohol or drugs while in possession of a firearm;
- (6) A crime that results in the person's disqualifying himself or herself from legally possessing a firearm under state or federal law; or
- (7) A crime involving moral turpitude.

SECTION 269. Arkansas Code § 17-40-349(a), concerning the suspension of a license, credential, or commission for nonpayment of child support, is amended to read as follows:

(a) The Director of the ~~Department~~ Division of Arkansas State Police shall suspend a license, credential, or commission issued under this chapter if the ~~Department~~ Division of Arkansas State Police is notified by the Office of Child Support Enforcement that the licensee, credential holder, or commission holder has not paid his or her required child support.

SECTION 270. Arkansas Code § 17-40-349(c)(2), concerning the suspension of a license, credential, or commission for nonpayment of child support, is amended to read as follows:

- (2) Notification from the office to the ~~department~~ division.

SECTION 271. The introductory language of Arkansas Code § 17-40-350(a), concerning grounds for disciplinary action by the Director of the Department of Arkansas State Police, is amended to read as follows:

(a) The Director of the ~~Department~~ Division of Arkansas State Police may suspend or revoke a license, credential, or commission or issue a fine in an amount not to exceed one thousand dollars (\$1,000) for each violation of this chapter, or both, or the director may deny an application for a license, credential, or commission, or renewal thereof, on proof that the applicant,

licensee, commission holder, or credential holder:

SECTION 272. Arkansas Code § 17-40-351(a), concerning the procedure for denial of a license, credential, or commission, is amended to read as follows:

(a) The Director of the ~~Department~~ Division of Arkansas State Police may deny the issuance of a license, credential, or commission under this chapter.

SECTION 273. Arkansas Code § 17-40-352(a), concerning the record of denial, revocation, or suspension of a license, credential, or commission, is amended to read as follows:

(a) In the event that the Director of the ~~Department~~ Division of Arkansas State Police denies the application or suspends or revokes a license, credential, or commission, or if a fine is imposed, the director's decision shall be in writing.

SECTION 274. Arkansas Code § 17-40-353(1), concerning reciprocity for a private investigator licensed or credentialed by another state, is amended to read as follows:

(1) The other state or territory grants similar reciprocity to credential holders of this state that coincides with the records on private investigator credential reciprocity maintained by the ~~Department~~ Division of Arkansas State Police;

SECTION 275. Arkansas Code § 17-40-353(4), concerning reciprocity for a private investigator licensed or credentialed by another state, is amended to read as follows:

(4) The applicant meets other reasonable qualifications as may be adopted by the Director of the ~~Department~~ Division of Arkansas State Police.

SECTION 276. Arkansas Code § 17-40-354 is amended to read as follows:  
17-40-354. Fingerprint cards.

(a) The Identification Bureau of the ~~Department~~ Division of Arkansas State Police and the Federal Bureau of Investigation may retain the

fingerprints collected for each individual who is fingerprinted under this chapter.

(b) The Director of the ~~Department~~ Division of Arkansas State Police may enroll a person issued a license, credential, or commission under this chapter in a program that electronically notifies law enforcement if the person has been arrested.

SECTION 277. Arkansas Code § 19-6-404 is amended to read as follows:  
19-6-404. ~~Department~~ Division of Arkansas State Police Fund.

The ~~Department~~ Division of Arkansas State Police Fund shall consist of:

(1) Those special revenues as specified in § 19-6-301(1), (5), (7), (8), (38)-(40), (94), (150), (168), (175), (184)-(186), (190), (218)-(220), (222), (226), (227), (234), and (252);

(2) Moneys transferred or deposited from the State Administration of Justice Fund;

(3) Those general revenues as may be provided by law, there to be used for the maintenance, operation, and improvement of the ~~Department~~ Division of Arkansas State Police in carrying out the functions, powers, and duties as stated in § 12-8-106 or other duties imposed by law upon the department;

(4) Any revenues credited to the ~~Department~~ Division of Arkansas State Police Fund under the ~~Department~~ Division of Arkansas State Police Headquarters Facilities and Equipment Financing Act, § 12-8-601 et seq.; and

(5) Federal reimbursements received for eligible expenditures by the various programs of the department made payable from the ~~Department~~ Division of Arkansas State Police Fund.

SECTION 278. Arkansas Code § 19-11-605 is amended to read as follows:  
19-11-605. Authority to transfer excess military property to state and local agencies – Service charge.

The Law Enforcement Support Office of the Department of ~~Career Education~~ Public Safety may:

(1) Cooperate with the federal government under 10 U.S.C. § 2576a in the transfer of excess military property to state and local law enforcement agencies:

(A) Whose primary function is the enforcement of applicable federal, state, and local laws; and

(B) Whose compensated law enforcement officers have powers of arrest and apprehension, including without limitation counter-drug and counter-terrorism activities;

(2) Take any action necessary to the proper administration of the acquisition and the distribution of excess military properties to eligible claimants in this state, with distribution to be in accordance with the appropriate controlling federal statutes;

(3) Establish service charges in an amount necessary to cover the expenses of the Department of ~~Career Education~~ Public Safety incurred in administering this section; and

(4) Take action as necessary to collect service charges and, from any state moneys over which the department has control, withhold funds necessary to pay an amount owing by a state or local law enforcement agency.

SECTION 279. Arkansas Code § 20-22-203 is amended to read as follows:  
20-22-203. Staff, offices, and supplies provided.

The ~~State Fire Marshal's Office~~ Department of Public Safety shall provide staff, office space and supplies, and other assistance as may be necessary for the day-to-day operation of the State Fire Prevention Commission and its activities.

SECTION 280. Arkansas Code § 20-22-204 is amended to read as follows:  
20-22-204. Powers and duties.

(a) The State Fire Prevention Commission may:

(1)(A) Obtain all necessary information from fire departments, police or sheriffs' departments, the ~~Department~~ Division of Arkansas State Police, other state agencies, clinics, insurance companies, or any other person with regard to fire, its causes, and its methods of prevention.

(B)(i) Notwithstanding any provision of law to the contrary, information furnished under this subsection shall be confidential and maintained as such if so requested by the persons providing the information.

(ii) Nothing in this subsection shall prohibit the use of confidential information to prepare statistics or other general data when it is presented so as to prevent identification of the source of information; and

(2) Receive and expend funds obtained from the federal government or other sources by means of contracts, grants, awards, gifts, and other devices in support of fire-prevention-related scientific and technical programs, studies, or other operations beneficial to the state.

(b) The ~~commission~~ State Fire Prevention Commission shall have the following duties and responsibilities:

(1) Develop a plan for statewide fire prevention, including plans for urban and rural fire prevention;

(2) Develop and maintain a fire prevention database upon which decisions concerning fire prevention and policy may intelligently be made;

(3) Identify state needs relative to fire prevention, including specific needs of urban and rural areas;

(4) Recommend actions to meet identified state needs relative to fire prevention;

(5) Monitor and review the effectiveness of existing and proposed fire prevention programs;

(6) Maintain an awareness of fire prevention research and development of importance to the state in order to promote information exchange and coordination of efforts;

(7) Recommend legislative and executive action to encourage development of fire prevention resources and the efficient utilization of the resources;

(8) Administer a public fire prevention awareness program to inform the public of the importance and methods of fire prevention;

(9) Advise the General Assembly, the Governor, the State Fire Marshal, the Arkansas Forestry Commission, the Director of the Arkansas Fire Training Academy, the Director of the ~~Department~~ Division of Arkansas State Police, and the Insurance Commissioner on fire prevention and program matters of importance to each;

(10) Advise on the delegation of responsibilities to state agencies responsible for fire prevention and policy and recommend resolution of conflicts between the various agencies on fire prevention matters;

(11) Develop an annual report on the activities of the State Fire Prevention Commission and transmit the report to the ~~Governor~~ Secretary of the Department of Public Safety and the General Assembly on or before November 30 annually; and

(12) Coordinate activities with the Federal Emergency Management Agency and any of the other federal or state agencies involved with fire prevention matters.

SECTION 281. Arkansas Code § 20-22-701(5), concerning the definition of "license" under the laws governing fireworks, is amended to read as follows:

(5) "License" means the written authority of the Director of the ~~Department~~ Division of Arkansas State Police issued under the authority of this subchapter to a distributor, jobber, wholesaler, manufacturer, importer, or retailer for a fee as provided in § 20-22-707;

SECTION 282. Arkansas Code § 20-22-701(7), concerning the definition of "permit" under the laws governing fireworks, is amended to read as follows:

(7) "Permit" means the written authority of the Director of the ~~Department~~ Division of Arkansas State Police issued for a public fireworks display under the authority of this subchapter;

SECTION 283. Arkansas Code § 20-22-702(a), concerning exceptions for public displays of fireworks, is amended to read as follows:

(a) Nothing in this subchapter shall be construed as applying to the shipping, sale, possession, and use of fireworks for public displays by holders of a permit for a public display to be conducted in accordance with the rules and regulations promulgated by the Director of the ~~Department~~ Division of Arkansas State Police. Such items of fireworks which are to be used for public display only and which are otherwise prohibited for sale and use within the state shall include display shells designed to be fired from mortars and display set pieces of fireworks classified by the regulations of the Surface Transportation Board as Class B special fireworks and shall not include such items of commercial fireworks as cherry bombs, tubular salutes, repeating bombs, aerial bombs, and torpedoes.

SECTION 284. Arkansas Code § 20-22-702(d)(1), concerning exceptions for public displays of fireworks, is amended to read as follows:

(d)(1) The ~~Department~~ Division of Arkansas State Police may charge a

fee not to exceed fifty dollars (\$50.00) for each permit issued under this section.

SECTION 285. Arkansas Code § 20-22-702(d)(3), concerning exceptions for public displays of fireworks, is amended to read as follows:

(3) All permit fees shall be remitted to the ~~department~~ division and shall be deposited into the State Treasury as special revenues to the credit of the ~~Department~~ Division of Arkansas State Police Fund.

SECTION 286. Arkansas Code § 20-22-703(a)(1)(D), concerning exceptions regarding fireworks law, is amended to read as follows:

(D) Transportation, sale, or use of permissible fireworks as defined in § 20-22-708 or special fireworks as defined in § 20-22-701 solely for agricultural or industrial purposes, provided that the purchaser first secures a written permit to purchase and use the fireworks for agricultural or industrial purposes from the Director of the ~~Department~~ Division of Arkansas State Police.

SECTION 287. Arkansas Code § 20-22-707(a)(1)(A), concerning application and issuance of license for manufacturer, importer, distributor, jobber, retailer, or shooter of fireworks, is amended to read as follows:

(a)(1)(A) To be licensed as a manufacturer, importer, distributor, jobber, retailer, retailer all-year, or shooter of fireworks, a first-time applicant shall submit to the Director of the ~~Department~~ Division of Arkansas State Police an application on a form provided by the director setting forth the information that the director determines necessary to ensure public health, safety, and welfare.

SECTION 288. Arkansas Code § 20-22-707(a)(2)(A), concerning the application and issuance of a license for a manufacturer, importer, distributor, jobber, retailer, or shooter of fireworks, is amended to read as follows:

(2)(A) A retailer may purchase a license from its vendor if the vendor is a licensed importer, distributor, or jobber or from the State Fire Marshal Enforcement Section of the ~~Department~~ Division of Arkansas State Police. The retailers' licenses shall be made available by the ~~Department~~

Division of Arkansas State Police to the vendor in books of twenty (20) licenses to a book.

SECTION 289. Arkansas Code § 20-22-707(c), concerning application and issuance of license for manufacturer, importer, distributor, jobber, retailer, or shooter of fireworks, is amended to read as follows:

(c) All funds collected under this subchapter by the director, including license fees and penalties, shall be deposited into the State Treasury to the credit of the ~~Department~~ Division of Arkansas State Police Fund.

SECTION 290. Arkansas Code § 20-22-707(h), concerning the application and issuance of a license for a manufacturer, importer, distributor, jobber, retailer, or shooter of fireworks, is amended to read as follows:

(h) The director may revoke or deny an application for any license or permit at any time for violating any provision of this subchapter or for falsifying any information provided to the ~~department~~ division as part of an application for a license or permit.

SECTION 291. Arkansas Code § 20-22-710(e), concerning the location and display of fireworks, is amended to read as follows:

(e) All licensees under this subchapter shall have a fire extinguisher of a type approved by the Director of the ~~Department~~ Division of Arkansas State Police in an area readily accessible to any point of storage or sale of fireworks. In lieu of such an extinguisher, retailers may maintain a common type of water hose, charged and connected to a water system, which is readily available to any area where fireworks are stored or sold.

SECTION 292. Arkansas Code § 20-22-714(a), concerning the seizure of contraband fireworks, is amended to read as follows:

(a) The Director of the ~~Department~~ Division of Arkansas State Police shall seize as contraband any fireworks other than Class C common fireworks defined in § 20-22-708 or special fireworks for public displays as provided in § 20-22-702 or for agricultural or industrial purposes as provided in § 20-22-703, which are sold, displayed, used, or possessed in violation of this subchapter.

SECTION 293. Arkansas Code § 20-22-715(a), concerning a notice of violation and hearing, is amended to read as follows:

(a) With reference to the administrative and civil penalties imposed by this subchapter, the Director of the ~~Department~~ Division of Arkansas State Police shall notify the person accused of a violation, setting a time and place for hearing to be held by the director or his or her designated agent.

SECTION 294. Arkansas Code § 20-22-803(a)(3), concerning the creation and membership of the Arkansas Fire Protection Services Board, is amended to read as follows:

(3) The Director of the Arkansas Fire Training Academy, the Director of the ~~Arkansas Department~~ Division of Emergency Management or his or her designee, and the State Fire Marshal or his or her designee shall be ex officio members.

SECTION 295. Arkansas Code § 20-22-804(A)(5), concerning the powers and duties of the Arkansas Fire Protection Services Board, is amended to read as follows:

(5) Serve in an advisory capacity to the Director of the ~~Arkansas Department~~ Division of Emergency Management with respect to the operation of fire services and the matters concerning certification and standards related to fire services in the state;

SECTION 296. Arkansas Code § 20-22-805 is amended to read as follows:  
20-22-805. Office of Fire Protection Services – Creation.

(a) There is created the Office of Fire Protection Services which shall be under the supervision and direction of the Director of the ~~Arkansas Department~~ Division of Emergency Management.

(b) The Director of the Office of Fire Protection Services, who shall be employed by the Director of the ~~Arkansas Department~~ Division of Emergency Management, with the approval of the Secretary of the Department of Public Safety, shall have the responsibility to carry out the administrative functions and directives of the Arkansas Fire Protection Services Board.

~~(c) The Director of the Office of Fire Protection Services may employ personnel as may be authorized by law to carry out the duties of the office.~~

SECTION 297. Arkansas Code § 20-45-302(c)(6), concerning the creation and purpose of the Arkansas Suicide Prevention Council, is amended to read as follows:

(6) A representative of law enforcement, to be designated by the Director of the ~~Department~~ Division of Arkansas State Police;

SECTION 298. Arkansas Code § 20-64-1002(b)(1)(C), concerning the creation of the Arkansas Alcohol and Drug Abuse Coordinating Council, is amended to read as follows:

(C) The Director of the ~~Department~~ Division of Arkansas State Police;

SECTION 299. Arkansas Code § 20-64-1002(b)(1)(J), concerning the creation of the Arkansas Alcohol and Drug Abuse Coordinating Council, is amended to read as follows:

(J) The ~~Executive~~ Director of the State Crime Laboratory;

SECTION 300. Arkansas Code § 20-64-1003(d), concerning the functions, powers, and duties of the Arkansas Alcohol and Drug Abuse Coordinating Council, is amended to read as follows:

(d) The council shall develop training and education programs for criminal justice personnel in drug-related matters in conjunction with the ~~Arkansas Commission on~~ Division of Law Enforcement Standards and Training.

SECTION 301. Arkansas Code § 21-5-705(a)(1), concerning funds for payment of a claim to designated beneficiaries or survivors of certain specified public employees killed in the line of duty, is amended to read as follows:

(1) Police officer, wildlife enforcement officer, commissioned law enforcement officer or emergency response employee of the ~~State Parks Division of the~~ Department of Parks, Heritage, and Tourism, ~~Department Division~~ of Community Correction employee, employee of the ~~Department Division~~ of Correction, jailer, or coroner whose death occurred:

(A) After January 1, 2003; and

(B) Either:

(i) In the official line of duty as the result of a criminal or negligent action of another person or persons or as the result of the engagement in exceptionally hazardous duty; or

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

SECTION 302. Arkansas Code § 21-5-705(b), concerning funds for payment of a claim to designated beneficiaries or survivors of certain specified public employees killed in the line of duty, is amended to read as follows:

(b) In addition to the benefits provided for in subsection (a) of this section, the state shall pay the additional sum of twenty-five thousand dollars (\$25,000) to the designated beneficiary, surviving spouse, or surviving children under twenty-two (22) years of age of any police officer, wildlife enforcement officer of the Arkansas State Game and Fish Commission, commissioned law enforcement officer of the ~~State Parks Division of the~~ Department of Parks, Heritage, and Tourism, ~~Department~~ Division of Community Correction employee, or employee of the ~~Department~~ Division of Correction:

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

(2) Whose death occurred:

(A) After July 1, 1989; and

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

SECTION 303. Arkansas Code § 22-3-304(a), concerning the enforcement of the subchapter by the Director of the Department of Arkansas State Police, is amended to read as follows:

(a) In order that the provisions of this subchapter might be enforced, the Director of the ~~Department~~ Division of Arkansas State Police may assign one (1) state police officer or more to the State Capitol and its grounds, which may include assignments for sessions of the General Assembly, and the Secretary of State is directed to assign one (1) State Capitol Police officer or more. It shall be the responsibility of the Secretary of State to assure that at least one (1) certified law enforcement officer is on duty on the State Capitol grounds twenty-four (24) hours per day, seven (7) days per week.

SECTION 304. Arkansas Code § 22-8-210 is amended to read as follows:  
22-8-210. Motor vehicle renovation.

(a) Funds deposited into the Motor Vehicle Acquisition Revolving Fund created by § 19-5-1002(a) and § 22-8-206(b), which may be made available for the purchase of motor vehicles for the ~~Department~~ Division of Arkansas State Police, may in addition be made available and used for expenses associated with the renovation of state police motor vehicles.

(b) If the Director of the ~~Department~~ Division of Arkansas State Police determines the cost associated with renovating or repairing state police motor vehicles is economically beneficial, he or she shall contract with a qualified vendor and, when invoiced, shall submit said invoice to the Chief Fiscal Officer of the State, who shall direct payment from moneys set aside in the fund for the ~~department~~ division.

SECTION 305. Arkansas Code § 23-89-504(f), concerning enforcement violations, safety inspection, and insurance requirement of amusement attractions or rides, is amended to read as follows:

(f) The Director of the ~~Department~~ Division of Labor and his or her deputies, assistants, examiners, and employees and the Director of the ~~Department~~ Division of Arkansas State Police and his or her deputies, officers, assistants, and employees and any public law enforcement officer shall not be liable for any damages occurring as a result of the implementation of this subchapter.

SECTION 306. Arkansas Code § 23-89-509 is amended to read as follows:  
23-89-509. Cease and desist orders – Notice required.

(a)(1) Upon issuance of cease and desist orders pursuant to § 23-89-504 or § 23-89-507, the Director of the ~~Department~~ Division of Labor shall promptly transmit his or her order to the Director of the ~~Department~~ Division of Arkansas State Police.

(2) Whenever possible, the Director of the ~~Department~~ Division of Labor shall notify any applicable fair boards or sponsoring organizations in the respective districts or counties of this state where the amusement attractions or amusement rides are in operation or are scheduled to be in operation.

(3) The Director of the ~~Department~~ Division of Labor shall promptly notify these parties when a cease and desist order has been rescinded upon proof of the operator's compliance with the provisions of this subchapter.

(b) Upon receipt of the Director of the ~~Department~~ Division of Labor's order to cease and desist operations pursuant to subsection (a) of this section, the ~~Department~~ Division of Arkansas State Police shall promptly serve the order on the operator and order the operator immediately to cease operation of all applicable amusement attractions or amusement rides in operation or scheduled to be in operation in those districts or counties until the cease and desist order has been rescinded.

SECTION 307. Arkansas Code § 24-6-201(6) and (7), concerning the definition of "department" and "director" under the laws governing the State Police Retirement System, are repealed.

~~(6) "Department" means the Department of Arkansas State Police;~~

~~(7) "Director" means the Director of the Department of Arkansas State Police;~~

SECTION 308. Arkansas Code § 24-6-201(8), concerning the definition of "final average compensation" under the laws governing the State Police Retirement System, is amended to read as follows:

(8)(A) "Final average compensation" for contributory service means the average of the annual salaries paid a member for the three (3) years of credited service rendered by the member immediately preceding his or her last termination of employment with the ~~department~~ Division of Arkansas State Police, but the final average compensation shall not exceed that of the highest permanent rank.

(B)(i) "Final average compensation" for Tier I noncontributory service means the average of the highest annual compensation paid a member during any period of sixty (60) calendar months of credited service with the ~~Department of Arkansas State Police~~ division.

(ii) Should a member have less than sixty (60) calendar months of credited service, "final average compensation" means the monthly average paid to the member during his or her total years of credited service;

SECTION 309. Arkansas Code § 24-6-201(16), concerning the definition of "retirement" under the laws governing the State Police Retirement System, is amended to read as follows:

(16) "Retirement" means a member's withdrawal from the employ of the ~~department~~ division with a pension payable from funds of the system;

SECTION 310. Arkansas Code § 24-6-201(18) and (19), concerning the definitions of "service" and "state police officer" under the laws governing the State Police Retirement System, are amended to read as follows:

(18) "Service" means service rendered to the ~~department~~ division by a state police officer and shall include previous service, if any, rendered as an Arkansas state ranger and with the Department of Arkansas State Police;

(19)(A) "State police officer" means any employee of the ~~Department of Arkansas State Police~~ division or its predecessor entities who holds the rank of state trooper or higher rank, and it shall include the ~~director~~ Director of the Division of Arkansas State Police.

(B) The term "state police officer" shall not include any civilian employee of the ~~department~~ division, nor shall it include any person who is temporarily employed as a state trooper for an emergency.

(C) In any case of doubt as to who is a "state police officer", the board shall decide the question;

SECTION 311. Arkansas Code § 24-6-207(a), concerning membership in the State Police Retirement System, is amended to read as follows:

(a) The Director of the ~~Department~~ Division of Arkansas State Police and all other state police officers ~~who were state police officers March 19, 1951, and who continued as state police officers on or after March 19, 1951,~~ shall become members of the State Police Retirement System.

SECTION 312. Arkansas Code § 24-6-207(c), concerning membership in the State Police Retirement System, is amended to read as follows:

(c) None of the other employees of the ~~Department~~ Division of Arkansas State Police shall be eligible to membership in the system, and the conferring of rank upon any such employee shall not, in itself, constitute

eligibility to membership in the system.

SECTION 313. Arkansas Code § 24-6-405(a), concerning eligibility for benefits and disability retirement from the State Police Retirement System, is amended to read as follows:

(a)(1)(A) Upon application filed with the Board of Trustees of the State Police Retirement System by a member or by the Director of the ~~Department~~ Division of Arkansas State Police on behalf of a member, a member who is in the employ of the ~~Department~~ Division of Arkansas State Police, who has five (5) or more years of actual service, and who becomes totally and permanently incapacitated for duty in the employ of the ~~department~~ division by reason of personal injury or disease may be retired by the Board of Trustees of the State Police Retirement System, but only after a medical examination of the member.

(B) This examination shall be made by or under the direction of a board of medical professionals as defined in the rules of the Board of Trustees of the State Police Retirement System, using the active duty criteria supplied by the ~~department~~ division in determining the extent of the disability.

(2) The five (5) years of service requirement contained in this subsection shall not apply to a member whom the Board of Trustees of the State Police Retirement System finds to be in receipt of workers' compensation for his or her disability arising solely and exclusively out of and in the course of his or her employment with the ~~department~~ division.

SECTION 314. Arkansas Code § 24-6-405(c)(4), concerning eligibility for benefits and disability retirement from the State Police Retirement System, is amended to read as follows:

(4) If, upon the medical examination of the retirant, the medical professionals designated by the Board of Trustees of the State Police Retirement System report to the Board of Trustees of the State Police Retirement System that the retirant is physically capable of performing the duties of the rank held by him or her at the time of his or her retirement, the retirant shall be returned to the employ of the ~~department~~ division, and his or her disability pension shall be terminated.

SECTION 315. Arkansas Code § 24-6-405(d), concerning eligibility for benefits and disability retirement from the State Police Retirement System, is amended to read as follows:

(d)(1) Upon a disability retirant's return to the employ of the ~~department~~ division as provided in subsection (c) of this section, his or her service at the time of his or her retirement shall be restored to his or her credit.

(2) He or she shall be given service credit for the period he or she was receiving a disability pension if within that period he or she was in receipt of workers' compensation on account of his or her ~~department~~ division employment.

SECTION 316. Arkansas Code § 25-17-304(e)(3)(D), concerning the appointment and removal of institutional law enforcement officers, is amended to read as follows:

(D) The ~~Arkansas Commission on~~ Division of Law Enforcement Standards and Training shall be notified of any change in an institutional law enforcement officer's status.

SECTION 317. Arkansas Code § 27-14-1006(a), concerning the authority to issue permanent license plates subject to replacement, is amended to read as follows:

(a) The ~~Director~~ Secretary of the Department of Finance and Administration is authorized to issue to the owner of a vehicle subject to this subchapter a permanent license plate subject to replacement at the request of the owner because of theft, loss, wear, or mutilation, or at the discretion of either the Director of the ~~Department~~ Division of Arkansas State Police or the ~~Director~~ Secretary of the Department of Finance and Administration.

SECTION 318. Arkansas Code § 27-16-508(b), concerning the Office of Driver Services fee for reinstatement, is amended to read as follows:

(b) The revenues derived from this fee shall be deposited into the State Treasury as special revenues to the credit of the ~~Department~~ Division of Arkansas State Police Fund.

SECTION 319. Arkansas Code § 27-16-808(b)(2), concerning reinstatement charge for a suspended license, is amended to read as follows:

(2) Seventy-five percent (75%) to the State Treasury as special revenues to the credit of the ~~Department~~ Division of Arkansas State Police Fund.

SECTION 320. Arkansas Code § 27-23-108(a)(1)(B), concerning commercial driver license qualification standards, is amended to read as follows:

(B)(i) The tests shall be prescribed by the ~~Department~~ Division of Arkansas State Police and shall be conducted by the ~~Department of Arkansas State Police division~~ or by a third-party tester designated by the ~~Department of Arkansas State Police division~~ under regulations promulgated as provided in this section.

(ii) The knowledge test administered by the ~~Department of Arkansas State Police division~~ shall be given in electronic format.

(iii) The result of a test administered by the ~~Department of Arkansas State Police division~~ or by a third-party tester shall be transmitted electronically to the Department of Finance and Administration.

SECTION 321. Arkansas Code § 27-23-108(a)(2), concerning commercial driver license qualification standards, is amended to read as follows:

(2) The ~~Department of Arkansas State Police division~~ shall, by rules, authorize a person, including an agency of this state, an employer, a private driver training facility, another private institution, or a department, agency, or instrumentality of local government, to administer the skills test specified by this section pursuant to the requirements of 49 C.F.R. § 383.75, as in effect on January 1, 2013. These third-party testing regulations shall provide at a minimum that:

(A) A skills test given by a third-party tester is the same as a test that would otherwise be given by the ~~Department of Arkansas State Police division~~ using:

(i) The same version of the skills test;

(ii) The same written instructions for test applicants; and

(iii) The same scoring sheets as those prescribed in 49 C.F.R. part 383, subparts G and H, as in effect on January 1, 2013;

(B) A third-party skills test examiner shall meet the requirements of 49 C.F.R. § 384.228, as in effect on January 1, 2013;

(C) The third-party tester shall enter into an agreement with the ~~Department of Arkansas State Police~~ division that demonstrates compliance with all of the requirements of 49 C.F.R. § 383.75, as in effect on January 1, 2013;

(D) The ~~Department of Arkansas State Police~~ division shall designate and provide to any third-party testers the evidence to be used to indicate to the Department of Finance and Administration that an applicant had successfully passed the skills test;

(E) The eligibility to become a third-party tester shall be open to qualified persons under the regulations at least two (2) times annually, provided there are sufficient numbers of qualified applicants to conduct classes;

(F) The third-party tester shall pay a third-party testing administration fee as may be determined by the Director of the ~~Department~~ Division of Arkansas State Police to recover the costs of administering the testing program and examination distribution expenses;

(G) The ~~Department of Arkansas State Police~~ division shall issue each third-party skills test examiner a skills testing certificate upon successful completion of a formal skills test examiner training course pursuant to 49 C.F.R. § 384.228, as in effect on January 1, 2013; and

(H) The ~~Department of Arkansas State Police~~ division shall audit and monitor third-party testers and third-party skills test examiners pursuant to the requirements of 49 C.F.R. § 384.229, as in effect on January 1, 2013.

SECTION 322. Arkansas Code § 27-23-108(a)(3)(B)(i), concerning commercial driver license qualification standards, is amended to read as follows:

(B)(i) A new third-party tester applicant shall certify to the ~~Department of Arkansas State Police~~ division the number of tests it anticipates conducting in its first year of testing and shall obtain and maintain a bond based upon the number of tests it anticipates conducting that

corresponds to the amount provided in subdivision (a)(3)(A) of this section for tests in the preceding calendar year.

SECTION 323. Arkansas Code § 27-23-108(a)(3)(D), concerning commercial driver license qualification standards, is amended to read as follows:

(D) In the event that a third-party tester or one of its examiners is involved in fraudulent activities related to conducting skills testing that require a driver to be retested, the third party tester's bond is liable to the ~~Department of Arkansas State Police~~ division for payment of its actual costs to retest the driver.

SECTION 324. Arkansas Code § 27-23-108(b)(1), concerning commercial driver license qualification standards, is amended to read as follows:

(1) The ~~Department of Arkansas State Police~~ division may waive the skills test specified in this section for a commercial driver license applicant who meets the requirements of 49 C.F.R., § 383.77, as in effect on January 1, 2013.

SECTION 325. The introductory language of Arkansas Code § 27-23-108(b)(2)(B), concerning commercial driver license qualification standards, is amended to read as follows:

(B) The ~~Department of Arkansas State Police~~ division shall waive the skills test specified in this section for any commercial driver license applicant who:

SECTION 326. The introductory language of Arkansas Code § 27-23-108(b)(2)(C), concerning commercial driver license qualification standards, is amended to read as follows:

(C) The ~~Department of Arkansas State Police~~ division shall:

SECTION 327. Arkansas Code § 27-23-108(e)(1)(A), concerning commercial driver license qualification standards, is amended to read as follows:

(A) Completes a human trafficking prevention course administered by the ~~Department of Arkansas State Police~~ division or by a third party approved by the ~~Department of Arkansas State Police~~ division to

present a human trafficking prevention course under regulations promulgated as provided in this section; or

SECTION 328. Arkansas Code § 27-37-701(2), concerning the definition of "seat belt" under the motor vehicle laws, is amended to read as follows:

(2) "Seat belt" means any passenger restraint system as defined by the ~~Department~~ Division of Arkansas State Police, except that, until such time as the ~~department~~ division has promulgated regulations defining "seat belt", the term means any passenger restraint system which meets the federal requirements contained in 49 C.F.R. § 571.208.

SECTION 329. Arkansas Code § 7-53-210(a) and (b), concerning the fees for copies made by the Department of Arkansas State Police, are amended to read as follows:

(a) Except as provided under § 27-53-202(b)(2)(B), photostatic or written copies of reports and records may be obtained from the Director of the ~~Department~~ Division of Arkansas State Police, or from his or her duly designated assistants, by any person who makes a written request for them to the ~~department~~ Division of Arkansas State Police.

(b)(1) In order to partially reimburse the ~~Department of Arkansas State Police~~ division for the cost of making photostatic or written copies of motor vehicle accident reports and copies of records of traffic violations, there shall be charged a fee of ten dollars (\$10.00) for each copy of a basic accident report and a fee of one dollar fifty cents (\$1.50) per page for each copy of a supplemental report.

(2) All funds collected under this subsection shall immediately be paid over by the ~~Department of Arkansas State Police~~ division to the Treasurer of State and shall be credited by him or her as a special revenue to the ~~Department~~ Division of Arkansas State Police Fund.

SECTION 330. Arkansas Code § 27-67-222(a), concerning the state police officer highway dedication program, is amended to read as follows:

(a)(1) "State police officer" means any employee of the ~~Department~~ Division of Arkansas State Police who holds the rank of state trooper or higher rank, including the Director of the ~~Department~~ Division of Arkansas State Police.

- (2) The term "state police officer" does not include any:
- (A) Civilian employee of the ~~department~~ division; or
  - (B) Person who is temporarily employed as a state trooper during an emergency.

SECTION 331. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the provisions of this act should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019.