

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

State of Arkansas
93rd General Assembly
Regular Session, 2021

As Engrossed: H1/26/21
A Bill

HOUSE BILL 1123

By: Representative M. Berry

By: Senator T. Garner

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE POWERS,
DUTIES, AND IMMUNITIES OF THE ORGANIZED MILITIA; AND
FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING THE POWERS,
DUTIES, AND IMMUNITIES OF THE ORGANIZED
MILITIA.

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

SECTION 1. Arkansas Code § 12-61-112(a) and (b), concerning the powers, duties, and immunities of the organized militia, is amended to read as follows:

(a) Whenever ~~such forces or any part thereof~~ a member of the organized militia shall be ~~is~~ ordered out for service of any kind, ~~they~~ he or she shall have all powers, duties, and immunities of ~~peace officers~~ a law enforcement officer of the State of Arkansas in addition to all powers, duties, and immunities ~~now~~ otherwise provided by law.

(b) ~~No~~ An officer or enlisted personnel of ~~such forces~~ the organized militia shall not be arrested on any warrant except for treason or felony while going to, remaining at, or returning from a place where they are ordered to attend *for military duty*.

SECTION 2. Arkansas Code § 12-61-112(c), concerning the powers, duties, and immunities of the organized militia is amended to read as



follows:

(c) Whenever any part of the organized militia of the state is on active duty ~~pursuant to the~~ by order of the Governor in the enforcement of the law or executing the orders of the Commander-in-Chief, the commanding officer of ~~such~~ the troops may order the closing of any place where arms, ammunition, dynamite, or other explosives are sold and restrict or forbid the selling, bartering, lending, or giving away of any ~~such articles~~ arms, ammunition, dynamite, or other explosives so long as any of the troops remain on duty in ~~such~~ the place, or in the vicinity ~~where such~~ of where the place may be located, whether any civil officer has forbidden the same or not.

/s/M. Berry