

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: H3/2/21  
**A Bill**

HOUSE BILL 1516

By: Representatives Boyd, *L. Johnson, Richardson, Crawford, Richmond*

By: Senator J. Sturch

### **For An Act To Be Entitled**

AN ACT PERMITTING A LAW ENFORCEMENT OFFICER TO  
TRANSPORT A PERSON IN CRISIS TO A SOBERING CENTER;  
AND FOR OTHER PURPOSES.

### **Subtitle**

PERMITTING A LAW ENFORCEMENT OFFICER TO  
TRANSPORT A PERSON IN CRISIS TO A  
SOBERING CENTER.

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

SECTION 1. Arkansas Code Title 12, Chapter 11, is amended to add an additional section to read as follows:

12-11-111. Discretionary transport to sobering center.

(a) As used in this section, "sobering center" means a facility or setting for providing recovery, detoxification, and recuperation from the effects of alcohol, the focus of which is treating alcoholics and persons who are intoxicated.

(b) A law enforcement officer may, in the exercise of reasonable discretion, transport an intoxicated person to a sobering center for treatment as an alternative to conveying that person to a county, city, or regional detention facility for incarceration.

(c)(1) When a law enforcement officer transports a person to and the person is admitted to a sobering center, the person is no longer legally in the custody of or detained by the law enforcement officer.

(2) When the sobering center observation process begins, the



person shall be considered to have admitted himself or herself voluntarily to the sobering center.

(d) A sobering centers may be associated with an acute care unit, community mental health center, or crisis stabilization unit.

(e) A law enforcement officer acting in good faith in connection with the transportation of an intoxicated person to a sobering center is immune from civil or criminal liability for any allegation resulting from the transportation of the intoxicated person to the sobering center.

(f) A person detained for boating or driving while intoxicated, § 5-65-103, or for a felony offense is not eligible under this section to be transported to a sobering center.

*/s/Boyd*