

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

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

HOUSE BILL 1813

By: Representative Pearce

By: Senator J. Payton

For An Act To Be Entitled

AN ACT TO AMEND THE LAW TO SUBSTITUTE "GAME WARDEN"
FOR "WILDLIFE OFFICER"; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW TO SUBSTITUTE "GAME
WARDEN" FOR "WILDLIFE OFFICER".

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

SECTION 1. Arkansas Code § 5-39-305(d)(2), concerning criminal trespass on premises located in an unincorporated area, is amended to read as follows:

(2) A law enforcement officer or ~~wildlife officer~~ game warden acting in the line of duty; or

SECTION 2. Arkansas Code § 5-71-228(d), concerning the unlawful obstruction of shooting, hunting, fishing, or trapping activities, is amended to read as follows:

(d) This section does not prevent ~~any wildlife officer~~ a game warden or other law enforcement officer from performing his or her duties.

SECTION 3. Arkansas Code § 6-60-213(a)(1)(A)(iv), concerning reduced tuition for certain police officers, is amended to read as follows:

(iv) A wildlife officer or game warden who has been an employee of the Arkansas State Game and Fish Commission for ten (10) or



more years.

SECTION 4. Arkansas Code § 15-41-125(a)(1), concerning overtime payments, is amended to read as follows:

(a)(1) If approved by the Director of the Arkansas State Game and Fish Commission, the Arkansas State Game and Fish Commission may make overtime payments to ~~wildlife officers~~ game wardens or other employees who are currently assigned or may be assigned by the director or his or her designee to special law enforcement task forces, special operations, or other special programs reimbursable to the commission by federal or local authorities.

SECTION 5. Arkansas Code § 16-81-106(f), concerning the authority to arrest, is amended to read as follows:

(f) ~~For purposes of~~ As used in this section, the term "certified law enforcement officer" includes a full-time ~~wildlife officer~~ game warden of the Arkansas State Game and Fish Commission so long as the ~~officer~~ game warden shall not exercise his or her authority to the extent that any federal funds would be jeopardized.

SECTION 6. Arkansas Code § 20-19-507 is amended to read as follows:
20-19-507. Inspection.

The possessor of a large carnivore shall allow an official of the county sheriff's department, an animal control officer, an Arkansas State Game and Fish Commission ~~Wildlife Officer~~ game warden, or a law enforcement officer of the municipality or county where the large carnivore is kept to enter the premises to ensure compliance with this subchapter.

SECTION 7. Arkansas Code § 20-19-601(2)(B), concerning the definition of "law enforcement officer", is amended to read as follows:

(B) An Arkansas State Game and Fish Commission ~~wildlife officer~~ game warden;

SECTION 8. Arkansas Code § 21-4-405 is amended to read as follows:
21-4-405. Payment of accrued leave to estate of wildlife officer or game warden.

(a) The Arkansas State Game and Fish Commission may pay all accrued

and unused annual, holiday, and sick leave to the estate of a wildlife officer or game warden who dies in the line of duty.

(b) A payment under subsection (a) of this section is subject to budgetary constraints and shall be disbursed after receipt of the official death certificate.

SECTION 9. Arkansas Code § 21-5-701(3), concerning the definition of "covered public employee", is amended to read as follows:

(3) "Covered public employee" means a police officer, firefighter, state highway employee, state correction employee, Division of Community Correction employee, jailer, qualified emergency services worker, wildlife enforcement officer or game warden, emergency medical technician, Arkansas Forestry Commission employee, commissioned law enforcement personnel, member of the Arkansas National Guard on state active duty, or emergency response personnel of the Department of Parks, Heritage, and Tourism;

SECTION 10. Arkansas Code § 21-5-701(12), concerning the definition of "wildlife enforcement officer", is amended to read as follows:

(12) "Wildlife enforcement officer" or "game warden" means an employee of the Arkansas State Game and Fish Commission who actively engages, on a full-time or part-time basis, in the enforcement of the boating safety laws and regulations enacted for the protection of game, fish, fur-bearing animals, and other wildlife of the State of Arkansas.

SECTION 11. Arkansas Code § 21-5-705(a)(1), concerning the payment of a claim to designated beneficiaries or survivors of public employees killed in the line of duty, is amended to read as follows:

(1) Police officer, wildlife enforcement officer or game warden, commissioned law enforcement officer or emergency response employee of the Department of Parks, Heritage, and Tourism, Division of Community Correction employee, employee of the 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 12. Arkansas Code § 21-5-705(b), concerning payment of an additional sum to a qualified recipient of certain 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 qualified recipient of any police officer, wildlife enforcement officer or game warden of the Arkansas State Game and Fish Commission, commissioned law enforcement officer of the Department of Parks, Heritage, and Tourism, Division of Community Correction employee, or employee of the Division of Correction:

(1) Who was wearing a bulletproof vest approved by the Director of the Department of Arkansas State Police or the Director of the 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.