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4

As Engrossed: H3/15/13

A Bill

HOUSE BILL 1857

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

7 *By: Senators Maloch, J. Hutchinson, B. Pierce, S. Flowers, D. Wyatt*
8

For An Act To Be Entitled

10 AN ACT TO AMEND THE SPECIAL LICENSE PLATE ACT OF 2005
11 CONCERNING THE AUTHORIZATION AND ISSUANCE OF SPECIAL
12 LICENSE PLATES FOR AND IN SUPPORT OF LAW ENFORCEMENT;
13 TO AUTHORIZE FOR ISSUANCE A CERTIFIED LAW ENFORCEMENT
14 LICENSE PLATE TO BE ISSUED TO ELIGIBLE LAW
15 ENFORCEMENT OFFICERS; TO AUTHORIZE FOR ISSUANCE A
16 SUPPORT LAW ENFORCEMENT LICENSE PLATE; TO AUTHORIZE
17 FOR ISSUANCE AN ARKANSAS SHERIFF'S ASSOCIATION
18 LICENSE PLATE; AND FOR OTHER PURPOSES.
19
20

Subtitle

22 TO AMEND THE SPECIAL LICENSE PLATE ACT OF
23 2005 CONCERNING THE AUTHORIZATION AND
24 ISSUANCE OF SPECIAL LICENSE PLATES FOR
25 AND IN SUPPORT OF LAW ENFORCEMENT.
26
27

28 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
29

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

32 19-6-819. Fallen Law Enforcement Officers' Beneficiary Fund.

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

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



1 law.

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

6
7 SECTION 2. Arkansas Code § 27-24-1302 is amended to add an additional
8 subsection to read as follows:

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

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

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

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

22
23 SECTION 3. Arkansas Code Title 27, Chapter 24, Subchapter 13, is
24 amended to add an additional section to read as follows:

25 27-24-1314. Certified law enforcement officers.

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

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

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

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

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

1 licensing of the motor vehicle;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16
17 SECTION 4. Arkansas Code Title 27, Chapter 24, Subchapter 14, is
18 amended to add additional sections to read as follows:

19 27-24-1411. "Support Law Enforcement" special license plate.

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

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

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

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

29 (2) Numbered consecutively.

30 (c) The procedures concerning costs for issuance under § 27-24-
31 1404(c)(1)(A) shall apply.

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

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

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

1 contribution.

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

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

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

8 (3)(A) A handling and administrative fee of ten dollars
9 (\$10.00).

10 (B) The handling and administrative fee shall be:

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

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

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

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

21 (2) However, the division shall remit the fees collected under §
22 27-24-1405(b)(2) on a monthly basis as set forth in subsection (d)(2)(B) of
23 this section.

24
25 27-24-1412. Arkansas Sheriffs' Association.

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

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

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

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

34 (2) Numbered consecutively.

35 (c) The procedures concerning costs for issuance under § 27-24-
36 1404(c)(1)(A) shall apply.

