

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

HOUSE BILL

1698

By: Representative Forgey

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE 12-9-308 TO CLARIFY THE TORT IMMUNITY OF AUXILIARY LAW ENFORCEMENT OFFICERS PERFORMING DUTIES WITHIN THE COURSE AND SCOPE OF THEIR AUTHORITY AS OFFICERS OF THE POLITICAL SUBDIVISION APPOINTING THEM; AND FOR OTHER PURPOSES."

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

SECTION 1. Arkansas Code 12-9-308 is hereby amended to read as follows:

"12-9-308. Liability of law enforcement agency and political subdivision.

(a) The law enforcement agency director, chief, or sheriff and the political subdivision appointing the auxiliary law enforcement officer shall not be held either civilly or criminally liable or in any other manner for the actions of an auxiliary law enforcement officer.

(b) Auxiliary law enforcement officers appointed under this subchapter shall be immune from any liability for damages for acts performed in their official capacities as officers of the appointing political subdivision and within the authority granted to auxiliary law enforcement officers by this subchapter."

SECTION 2. All provisions of this act of general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this act are hereby repealed.