

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

A Bill

HOUSE BILL 1979

5 By: Representative Gazaway
6 By: Senator B. Johnson
7

For An Act To Be Entitled

8
9 AN ACT TO AMEND ARKANSAS LAW TO ALLOW WARRANTLESS
10 SEARCHES BY A LAW ENFORCEMENT OFFICER OF A PERSON
11 PLACED ON SUSPENDED IMPOSITION OF SENTENCE; AND FOR
12 OTHER PURPOSES.
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Subtitle

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16 AN ACT TO AMEND ARKANSAS LAW TO ALLOW
17 WARRANTLESS SEARCHES BY A LAW
18 ENFORCEMENT OFFICER OF A PERSON PLACED
19 ON SUSPENDED IMPOSITION OF SENTENCE; AND
20 FOR OTHER PURPOSES.
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 16-93-106 is amended to read as follows:
25 16-93-106. Warrantless search by any law enforcement officer of
26 probationer, parolee, person placed on suspended imposition of sentence, or
27 person on post-release supervision.

28 (a)(1) A person who is placed on supervised probation or suspended
29 imposition of sentence or is released on parole or post-release supervision
30 under this chapter is required to agree to a waiver as a condition of his or
31 her supervised probation, suspended imposition of sentence, parole, or post-
32 release supervision that allows any certified law enforcement officer or
33 Division of Community Correction officer to conduct a warrantless search of
34 his or her person, place of residence, motor vehicle, or other real or
35 personal property, including without limitation a cellular or electronic
36 device under his or her control or possession, at any time, day or night,



1 whenever requested by the certified law enforcement officer or division
2 officer.

3 (2) A warrantless search that is based on a waiver required by
4 this section shall be conducted in a reasonable manner but does not need to
5 be based on an articulable suspicion that the person is committing or has
6 committed a criminal offense.

7 (b)(1) A person who will be placed on supervised probation, suspended
8 imposition of sentence, parole, or post-release supervision and is required
9 to agree to the waiver required by this section shall acknowledge and sign
10 the waiver.

11 (2) If the person fails to acknowledge and sign the waiver
12 required by this section, he or she is ineligible to be placed on supervised
13 probation, suspended imposition of sentence, parole, or post-release
14 supervision.

15 (c) As used in this section, "residence" includes a garage or
16 outbuilding on the property of a residence.

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