

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

As Engrossed: H3/16/21

# A Bill

HOUSE BILL 1369

5 By: Representative Dotson  
6 By: Senator J. English  
7

## For An Act To Be Entitled

9 AN ACT TO PROVIDE FOR THE CREATION AND ADMINISTRATION  
10 OF A REGULATORY DIVISION OF THE DEPARTMENT OF FINANCE  
11 AND ADMINISTRATION AND THE APPOINTMENT OF A  
12 REGULATORY ADMINISTRATOR OF THE REGULATORY DIVISION  
13 OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO  
14 PROVIDE FOR THE ASSIGNMENT OF ENFORCEMENT AGENTS FOR  
15 THE REGULATORY DIVISION OF THE DEPARTMENT OF FINANCE  
16 AND ADMINISTRATION; TO AMEND THE LAW CONCERNING  
17 ENFORCEMENT AGENTS FOR STATE AGENCIES WITHIN THE  
18 REGULATORY DIVISION OF THE DEPARTMENT OF FINANCE AND  
19 ADMINISTRATION; AND FOR OTHER PURPOSES.  
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## Subtitle

22 TO PROVIDE FOR THE CREATION OF A  
23 REGULATORY DIVISION OF THE DEPARTMENT OF  
24 FINANCE AND ADMINISTRATION, THE  
25 APPOINTMENT OF A REGULATORY  
26 ADMINISTRATOR, AND THE ASSIGNMENT OF  
27 ENFORCEMENT AGENTS.  
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31 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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33 SECTION 1. Arkansas Code Title 25, Chapter 8, Subchapter 1, is amended  
34 to add an additional section to read as follows:

35 25-8-111. Regulatory Division – Regulatory Administrator.

36 (a) The Regulatory Division is created within the Department of



1 Finance and Administration and is designated as a law enforcement agency.

2 (b)(1) Notwithstanding § 25-8-101(b), the Governor shall appoint a  
3 Regulatory Administrator of the Regulatory Division.

4 (2) The Regulatory Administrator shall:

5 (A) Serve at the pleasure of the Governor;

6 (B) Report to the Secretary of the Department of Finance  
7 and Administration;

8 (C) Maintain oversight of the Regulatory Division, which  
9 shall consist of:

10 (i) The Alcoholic Beverage Control Division;

11 (ii) The Alcoholic Beverage Control Enforcement  
12 Division;

13 (iii) Arkansas Tobacco Control; and

14 (iv) The Arkansas Racing Commission; and

15 (D)(i) Assign personnel as enforcement agents of the  
16 Regulatory Division.

17 (ii) An enforcement agent assigned under this  
18 section:

19 (a) Shall be considered a full-time law  
20 enforcement officer after meeting standards established by the Arkansas  
21 Commission on Law Enforcement Standards and Training under § 12-9-101 et  
22 seq.;

23 (b) Has statewide law enforcement authority;  
24 and

25 (c) Has the right to enter, inspect records,  
26 and seize contraband in or on any licensed premises as a condition of the  
27 license or permit.

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29 SECTION 2. Arkansas Code § 3-2-210 is repealed.

30 ~~3-2-210. Authority of enforcement agent—Deputy Director of Education~~  
31 ~~—Law enforcement officer.~~

32 ~~(a) The right of any enforcement agent, law enforcement officer, or~~  
33 ~~the Deputy Director of Education of the Alcoholic Beverage Control Division,~~  
34 ~~when duly designated by the Director of the Alcoholic Beverage Control~~  
35 ~~Enforcement Division, to enter, inspect records, and seize contraband in or~~  
36 ~~on any licensed premises shall be deemed to be a condition of the license or~~

1 ~~permit to sell alcoholic beverages granted by this state.~~

2 ~~(b) A duly designated enforcement agent or the deputy director shall~~  
3 ~~have all powers, rights, and protection provided to all other law enforcement~~  
4 ~~officers by the laws of this state, specifically including the power of~~  
5 ~~arrest and service of warrants and the right to bear arms in the line of~~  
6 ~~duty.~~

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8 SECTION 3. Arkansas Code § 26-57-266 is repealed.

9 ~~26-57-266. Enforcement agents—Selection—Qualifications—~~  
10 ~~Authority.~~

11 ~~(a) Arkansas Tobacco Control is designated as a law enforcement~~  
12 ~~agency.~~

13 ~~(b) The Director of Arkansas Tobacco Control shall assign personnel as~~  
14 ~~agents of Arkansas Tobacco Control to conduct investigations of violations of~~  
15 ~~tobacco laws in this state.~~

16 ~~(c) Personnel assigned as agents of Arkansas Tobacco Control shall:~~

17 ~~(1) Be considered fulltime law enforcement officers by the~~  
18 ~~Arkansas Commission on Law Enforcement Standards and Training under § 12-9-~~  
19 ~~101 et seq.; and~~

20 ~~(2) Have statewide law enforcement authority.~~

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22 /s/Dotson  
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