

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 1873 of the Regular Session

1 State of Arkansas

As Engrossed: H3/18/05 S3/24/05

2 85th General Assembly

A Bill

3 Regular Session, 2005

HOUSE BILL 2611

4  
5 By: Representatives Walters, Anderson, Berry, Borhauer, Childers, Harris, T. Hutchinson, Jackson,  
6 Kenney, Lamoureux, M. Martin, Matayo, Medley, Pritchard, Pyle, *Edwards*

7 By: *Senators Altes, Trusty, Wilkinson*

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10 **For An Act To Be Entitled**

11 AN ACT CONCERNING THE REPORTING OF INFORMATION  
12 PERTAINING TO *CONTROLLED SUBSTANCE* LABS SEIZURES;  
13 AND FOR OTHER PUPOSES.

14  
15 **Subtitle**

16 AN ACT CONCERNING THE REPORTING OF  
17 INFORMATION PERTAINING TO *CONTROLLED*  
18 *SUBSTANCE* LABS SEIZURES.

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

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23 SECTION 1. Arkansas Code Title 12, Chapter 12, Subchapter 1 is amended  
24 to add an additional section to read as follows:

25 12-12-105. *Controlled substance lab seizure reports.*

26 (a) *Each state and local law enforcement agency shall electronically*  
27 *file a report on the form provided and required by the El Paso Intelligence*  
28 *Center of the United States Drug Enforcement Administration with the Arkansas*  
29 *Crime Information Center within ten (10) days of the agency's seizure of:*

30 *(1) Drug paraphernalia or drug precursors that could be utilized*  
31 *in the manufacture of a controlled substance; or*

32 *(2) Any laboratory reasonably believed to:*

33 *(A) Have been utilized in the illegal manufacture of a*  
34 *controlled substance;*

35 *(B) Be currently utilized in the illegal manufacture of a*



1 controlled substance; or

2 (C) Be intended for utilization in the illegal manufacture  
3 of a controlled substance.

4 (b) The report described in subsection (a) of this section shall be on  
5 the form provided and required by the El Paso Intelligence Center of the  
6 United States Drug Enforcement Administration and shall contain any  
7 additional information required by the Arkansas Drug Director.

8 (c)(1) The Arkansas Crime Information Center shall forward the report  
9 described in subsection (a) of this section to the El Paso Intelligence  
10 Center of the United States Drug Enforcement Administration and other law  
11 enforcement or criminal justice agencies designated by the Arkansas Drug  
12 Director.

13 (2) The Arkansas Drug Director shall promulgate rules regarding  
14 the distribution of the reports and statistics generated in accordance with  
15 the requirements of this section.

16 (d)(1) The Executive Director of the State Crime Laboratory shall  
17 catalogue the number of controlled substance laboratories reported to the  
18 State Crime Laboratory through evidence submission.

19 (2) For each reported controlled substance laboratory, the  
20 executive director shall record the:

21 (A) Judicial district where the laboratory was located;

22 (B) Date of seizure of the laboratory; and

23 (C) Name of the seizing law enforcement agency.

24 (e)(1) On March 31, June 30, September 30, and December 31 of each  
25 year after the effective date of this section, the Arkansas Drug Director  
26 shall compare the number of reports made to him or her under subsection (a)  
27 of this section with the number of reports made to the State Crime Laboratory  
28 under subsection (d) of this section.

29 (2) Any discrepancy in the number of reports described in  
30 subdivision (e)(1) of this section shall be recorded by the Arkansas Drug  
31 Director.

32 (3) The Arkansas Drug Director shall request completion of a  
33 reporting form by any law enforcement agency in the state that has failed to  
34 comply with the requirements of subsection (a) of this section.

35 (f) The failure of any law enforcement agency to comply with the  
36 requirements of this section may be considered by a state board or agency as

1 a factor for the withholding of awards or grant moneys or other funds that  
2 relate to controlled substance enforcement.

3 /s/ Walters

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APPROVED: 04/08/2005

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