

Hall of the House of Representatives
84th General Assembly - Regular Session, 2003
Amendment Form

Subtitle of House Bill No. 2503

"AN ACT CONCERNING PEN REGISTERS, TRAP AND TRACE DEVICES, ACCESS TO
STORED COMMUNICATIONS, AND MOBILE TRACKING DEVICES."

Amendment No. 1 to House Bill No. 2503.

Amend House Bill No. 2503 as originally introduced:

Page 4, line 13 add "circuit" before "judge"

AND

Page 4, line 23 add "circuit" before "judge"

AND

Page 5, line 5 add "circuit" before "judge"

AND

Page 5, line 8 add "circuit" before "judge"

AND

Page 5, line 13 add "unless otherwise ordered by the court, the results of the pen register shall be furnished to the applicant at reasonable intervals during regular business hours, for the duration of the order" after "carrier" and before the "."

AND

Page 5, line 15 add "circuit" before "judge"

AND

Page 5, line 18 add "circuit" before "judge"

AND

Page 6, line 3 add "circuit" before "court"



AND

Page 6, line 11 add:

“(h) A law enforcement officer is not required to file an application or obtain an order under this section before the officer makes an otherwise lawful search, with or without a warrant, to determine the contents of a caller identification message, pager message, or voice message that is contained within the memory of an end-user’s identification, paging, or answering device.”

AND

Page 11, line 6 delete “on” and substitute “in”

AND

Page 16, line 31 add:

“(g)(1) This section does not apply to a global positioning device or similar device installed in or on an item or property by the owner or with the consent of the owner of the property.

(2) A device described by this subsection (g) may be monitored by a private entity in an emergency.”

AND

Page 17, line 11 add the following:

“SECTION 17. Nothing in this act shall restrict or prohibit interception and recording of communications not otherwise prohibited by Arkansas Code § 5-60-120.

SECTION 18. (a) It shall be unlawful for any person who knows or learns of the existence of a pen register, tracking device, trap and trace device, or any other kind of electronic intercept, to disclose that fact to the person who is the target of the investigation, or to any other person.

(b) Any person violating the provisions of this section shall be guilty of a Class A misdemeanor.”

The Amendment was read _____
By: Representative Sullivan
PBB/APK - 032620031319
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Chief Clerk