

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.

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009

A Bill

HOUSE BILL 1934

4
5 By: Representative Hyde
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For An Act To Be Entitled

8
9 AN ACT TO AMEND ARKANSAS CODE § 5-60-201 TO
10 PROHIBIT THE SALE OR DISTRIBUTION OF HUMAN OR
11 SYNTHETIC URINE USED TO DEFRAUD A DRUG OR ALCOHOL
12 SCREENING TEST; AND FOR OTHER PURPOSES.
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Subtitle

14
15 AN ACT TO AMEND ARKANSAS CODE § 5-60-201
16 TO PROHIBIT THE SALE OR DISTRIBUTION OF
17 HUMAN OR SYNTHETIC URINE.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 5-60-201 is amended to read as follows:
23 5-60-201. Unlawful activities.

24 (a)(1)(A) It is unlawful for a person to:

25 (i) Sell, give away, distribute, or market human or
26 synthetic urine in this state or transport human or synthetic urine into this
27 state with the intent of using the human or synthetic urine to defraud or
28 cause deceitful results in a drug or alcohol screening test;

29 (ii) Attempt to foil or defeat a drug or alcohol
30 screening test by ~~the substitution~~ substituting synthetic urine or
31 substituting or spiking ~~of~~ a human urine sample or by advertising urine
32 sample substitution or human urine spiking devices or measures;

33 (iii) Adulterate a human urine sample or other human
34 bodily fluid sample with the intent to defraud or cause deceitful results in
35 a drug or alcohol screening test;

36 (iv) Possess adulterants which are intended to be



1 used to adulterate a human urine sample or other human bodily fluid sample
2 for the purpose of defrauding or causing deceitful results in a drug or
3 alcohol screening test; or

4 (v) Sell or market an adulterant with the intent by
5 the seller or marketer that the product be used to adulterate a human urine
6 sample or other human bodily fluid sample for the purpose of defrauding or
7 causing deceitful results in a drug or alcohol screening test.

8 (B) ~~“Adulterant”~~ As used in this section, “adulterant”
9 means a substance that is not expected to be in human urine or another human
10 bodily fluid or a substance expected to be present in human urine or another
11 human bodily fluid but that is at a concentration so high that it is not
12 consistent with human urine or another human bodily fluid, including, ~~but not~~
13 ~~limited to~~ without limitation:

- 14 (i) Bleach;
- 15 (ii) Chromium;
- 16 (iii) Creatinine;
- 17 (iv) Detergent;
- 18 (v) Glutaraldehyde;
- 19 (vi) Glutaraldehyde/squalene;
- 20 (vii) Hydrochloric acid;
- 21 (viii) Hydroiodic acid;
- 22 (ix) Iodine;
- 23 (x) Nitrite;
- 24 (xi) Peroxidase;
- 25 (xii) Potassium dichromate;
- 26 (xiii) Potassium nitrite;
- 27 (xiv) Pyridinium chlorochromate; and
- 28 (xv) Sodium nitrite.

29 (2) ~~Any~~ Upon conviction, a person who violates subdivision
30 (a)(1)(A) of this section is guilty of a Class B misdemeanor.

31 (b) Intent to defraud or cause deceitful results in a drug or alcohol
32 screening test is presumed if:

33 (1) A heating element or any other device used to thwart a drug
34 screening test accompanies the sale, giving, distribution, or marketing of
35 human or synthetic urine; or

36 (2) Instructions that provide a method for thwarting a drug

1 screening test accompany the sale, giving, distribution, or marketing of
2 human or synthetic urine.

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