

INTERIM STUDY PROPOSAL 2019-025

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36

State of Arkansas  
92nd General Assembly  
Regular Session, 2019

**A Bill**

HOUSE BILL 1962

By: Representatives M. Hodges, G. Hodges, Love

Filed with: House Committee on Judiciary  
pursuant to A.C.A. §10-3-217.

**For An Act To Be Entitled**

AN ACT TO REDUCE THE SENTENCE CLASSIFICATIONS FOR  
CERTAIN OFFENSES FROM A FELONY TO A MISDEMEANOR; AND  
FOR OTHER PURPOSES.

**Subtitle**

TO REDUCE THE SENTENCE CLASSIFICATIONS  
FOR CERTAIN OFFENSES FROM A FELONY TO A  
MISDEMEANOR.

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

SECTION 1. Arkansas Code § 5-27-502 is amended to read as follows:

5-27-502. Manufacturing or altering personal identification document  
unlawful.

(a) It is unlawful for a person to:

(1) Manufacture or produce a fraudulent personal identification  
document for the purpose of providing a person under twenty-one (21) years of  
age identification that can be used for the purpose of purchasing an  
alcoholic beverage or other substance or material restricted for adult  
purchase or possession in accordance with existing law;

(2) Alter a personal identification document for the purpose of  
providing a person under twenty-one (21) years of age false identification  
that can be used for the purpose of purchasing an alcoholic beverage or other  
substance or material restricted for adult purchase or possession in  
accordance with existing law; or

1 (3) Sell or otherwise distribute a fraudulent personal  
2 identification document described in this subsection to a person under  
3 twenty-one (21) years of age.

4 (b)(1)(A) A person who violates this section is deemed guilty of a  
5 Class C felony.

6 (B) However, if the person manufactures or produces his or  
7 her own personal identification document, or alters his or her own personal  
8 identification document, for his or her own use in obtaining alcohol or  
9 accessing a venue in which alcohol is sold, a violation of this section is a  
10 Class A misdemeanor.

11 (2) A subsequent violation of this section is a Class B felony.  
12

13 SECTION 2. Arkansas Code Title 5, Chapter 64, Subchapter 4, is amended  
14 to add an additional section to read as follows:

15 5-64-437. Possession of MDMA.

16 (a) As used in this section, "MDMA" means the chemical compound 3,4-  
17 Methylenedioxymethamphetamine, or otherwise known by the common or trade name  
18 "ecstasy", "E", or "Molly".

19 (b) The possession of one gram (1g) or less of MDMA is a Class A  
20 misdemeanor.

21 (c) The possession of more than one gram (1g) of MDMA is subject to  
22 prosecution as otherwise provided for under this chapter.

23  
24 SECTION 3. Arkansas Code § 26-18-202 is amended to read as follows:

25 26-18-202. Failure to pay or file return.

26 ~~Any~~ A person required under any state tax law to pay over any tax or  
27 file any return who ~~willfully~~ knowingly fails to pay over the tax or file a  
28 return shall be guilty of a Class ~~D~~ A misdemeanor.

29  
30 SECTION 4. Arkansas Code § 27-14-307 is amended to read as follows:

31 27-14-307. False evidences of title or registration.

32 It is a felony for ~~any~~ a person to commit any of the following acts:

33 (1) To alter, with fraudulent intent, any certificate of title,  
34 registration certificate, registration plate, manufacturer's certificate of  
35 origin, or permit issued by the Office of Motor Vehicle;

1                   (2) To forge or counterfeit any such document or plate  
2 purporting to have been issued by the office or by the manufacturer; or

3                   (3) To alter or falsify, with intent to defraud or mislead, or  
4 with intent to evade the registration laws, any assignment upon a certificate  
5 of title or upon a manufacturer's certificate of origin;

6                   ~~(4) To hold or use any such document or plate knowing it to have~~  
7 ~~been so altered, forged, or falsified.~~

8  
9

10 Referred requested by the Arkansas House of Representatives

11 Prepared by: BPG/VJF

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36