

AGENDA

House Committee on Judiciary 89th General Assembly Regular Session, 2013

Thursday, March 28, 2013

10:00 AM

Room 149, State Capitol
Little Rock, Arkansas

Rep. Marshall Wright, Chair
Rep. John T. Vines, Vice Chair
Rep. Darrin Williams
Rep. Jim Nickels
Rep. Mary L. Slinkard
Rep. Nate Steel

Rep. Matthew J. Shepherd
Rep. Jeremy Gillam
Rep. John W. Walker
Rep. Sue Scott
Rep. Mark D. McElroy
Rep. David Kizzia
Rep. Stephen Magie

Rep. Charlene Fite
Rep. Bob Ballinger
Rep. John Baine
Rep. Wes Wagner
Rep. Micah S. Neal
Rep. Mary Broadway
Rep. Monte Hodges

SPECIAL ORDER OF BUSINESS - MARCH 28, 2013

Number	Sponsor	Subtitle
HB1752	Ballinger	THE ARKANSAS SECOND AMENDMENT LIBERTIES SAFEGUARDS ACT.
HB1042	Bell	TO AMEND THE LAWS CONCERNING EMINENT DOMAIN.

REGULAR AGENDA

Number	Sponsor	Subtitle
HB1263	Steel	TO CEASE THE TRANSFER OF SOME DISTRICT COURTS TO THE STATE DISTRICT COURT SYSTEM; TO PRESERVE THE ADMINISTRATION OF JUSTICE FUND; TO PROTECT STATE TRIAL COURT ASSISTANTS BY REPEALING JUDICIAL POSITIONS NOT YET FILLED.
HB1448	Fite	TO PROVIDE FOR PERMANENT NO CONTACT ORDERS UPON A CONVICTION FOR CERTAIN CRIMINAL OFFENSES.
HB1638	Williams	TO ESTABLISH THE COMPREHENSIVE CRIMINAL RECORD SEALING ACT OF 2013; AND TO AMEND, CONSOLIDATE, CLARIFY, AND SIMPLIFY THE PROCESS FOR SEALING A PERSON'S CRIMINAL RECORD UNDER CERTAIN CIRCUMSTANCES.
HB1975	Williams	CONCERNING THE SALE, PURCHASE, OR TRANSFER OF SCRAP METAL; CONCERNING WHO MAY OR MAY NOT ENTER INTO SCRAP METAL TRANSACTIONS; AND CONCERNING PENALTIES.
HB1713	Wright	REGARDING THE SALARIES OF PERSONNEL AND OTHER REQUIREMENTS OF VARIOUS DISTRICT COURTS.
SB258	D. Sanders	REQUIRING THE PAROLE BOARD TO ISSUE A WARRANT FOR THE ARREST OF A PAROLEE WHO HAS COMMITTED A VIOLENT OR SEXUAL FELONY WHILE ON PAROLE.
SB367	J. Hendren	TO ADDRESS THE PROTECTION OF PRIVATE PROPERTY.
SB417	J. Hendren	TO MODIFY THE DEFINITION OF AN UNBORN CHILD IN THE CRIMINAL CODE AND IN WRONGFUL DEATH ACTIONS.
HB1995	Steel	CONCERNING THE PORTION OF A DISTRICT COURT'S EXPENSES THAT ARE PAID BY A COUNTY, CITY, OR TOWN.
HB1996	Steel	TO REGULATE THE USE OF AUTOMATIC LICENSE PLATE READER SYSTEMS.
HB2054	Scott	TO PROHIBIT A REGISTERED SEX OFFENDER FROM RESIDING WITHIN TWO

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THOUSAND FEET OF A PRIVATE PARK.

[HB2090](#) Broadaway TO SPECIFY AN APPROPRIATE INTEREST RATE ON CONTRACTS WHEN NONE IS SPECIFIED.

[SB781](#) Bledsoe CONCERNING THE DISTRIBUTION OF A DECEDENT'S ESTATE UPON HIS OR HER MURDER BY A SPOUSE.

[SB1137](#) R. Thompson TO REGULATE DOCUMENTS CONCERNING REAL PROPERTY; TO ALLOW SCRIVENER'S AFFIDAVITS TO CORRECT ERRORS IN INSTRUMENTS AFFECTING REAL PROPERTY.

[HB1348](#) Alexander TO REAFFIRM AMERICAN LAWS FOR AMERICAN COURTS; AND TO DECLARE AN EMERGENCY.

[HB1847](#) Nickels TO REFORM MORTGAGE FORECLOSURE PROCEDURES AND PRACTICES; TO REQUIRE CIRCUIT CLERKS TO CONDUCT JUDICIAL SALES; AND TO ABOLISH THE AUTHORITY AND PROCEDURES TO PERFORM STATUTORY FORECLOSURES.

[HB2016](#) Bell CONCERNING CRIMINAL OFFENSES INVOLVING A FIREARM.

[HB2018](#) Bell TO PROVIDE FOR CRIMINAL BACKGROUND CHECKS OF CANDIDATES BEFORE ELECTIONS; AND TO ALLOW CANDIDATES TO PROVIDE THEIR BACKGROUND CHECKS.

[SB977](#) J. Dismang TO CLARIFY WHO COMMITS THE CRIME OF SEXUAL ASSAULT IN THE FIRST DEGREE.

[SB896](#) B. King TO PROVIDE FOR THE ABILITY OF A CHURCH THAT OPERATES A PRIVATE SCHOOL, K-12, TO ALLOW A PERSON WHO POSSESSES A CONCEALED HANDGUN LICENSE TO CARRY A CONCEALED HANDGUN ON SCHOOL PROPERTY.

[HB1973](#) D. Douglas TO CREATE THE OFFENSE OF SEXUAL GROOMING OF A CHILD; TO REQUIRE REGISTRATION WITH THE SEX OFFENDER REGISTRY UPON CONVICTION OF SEXUAL GROOMING OF A CHILD; AND CONCERNING UNLAWFUL SEXUAL OFFENSES AGAINST A CHILD.

[HB1498](#) H. Wilkins TO CLARIFY DEFINITIONS AND LAWSUITS CONCERNING THE CRIMINAL DEFENSE OF MENTAL DISEASE OR DEFECT AND CONDITIONAL RELEASES OF MENTALLY ILL DEFENDANTS.

[HB2175](#) H. Wilkins TO REPEAL THE LAW REQUIRING SUSPENSION OF COURT ACTION REGARDING FAILURE TO PROVIDE CHILD SUPPORT WHEN A PERSON PLEADS INSANITY.

[HB1920](#) J. Edwards TO AMEND THE PROPERTY LAWS OF THE STATE OF ARKANSAS TO PROHIBIT PROPERTY RIGHTS FROM BEING ACQUIRED THROUGH THE UNLAWFUL KILLING OF ANOTHER PERSON.

[HB1955](#) D. Altes REGARDING TRAINING THAT A CONSTABLE IS REQUIRED TO COMPLETE AS DEVELOPED BY THE ARKANSAS COMMISSION ON LAW ENFORCEMENT STANDARDS AND TRAINING.

[HB1956](#) D. Altes TO ADDRESS REQUIREMENTS A CONSTABLE HAS TO MEET IN ORDER TO CONDUCT CERTAIN DUTIES.

[HB1763](#) Nickels TO ESTABLISH A CAUSE OF ACTION AGAINST THIRD PARTIES WHO CONDUCT BACKGROUND CHECKS AND RELEASE ERRONEOUS INFORMATION.

[HB1844](#) Nickels AN ACT TO REFORM RESIDENTIAL MORTGAGE FORECLOSURE PROCEDURES AND PRACTICES; AND TO REQUIRE THAT CIRCUIT CLERKS AS PART OF THEIR OFFICIAL DUTIES CONDUCT JUDICIAL SALES AND STATUTORY FORECLOSURE SALES.

[HB1521](#) Hammer TO ALLOW A VICTIM OF CERTAIN SEXUAL CRIMINAL OFFENSES TO REQUIRE TESTING OF A DEFENDANT FOR SEXUALLY TRANSMITTED DISEASES.

[HB1867](#) Hammer TO PROMOTE THE INTEGRITY OF A PUBLIC SERVANT OR PUBLIC OFFICIAL; AND TO REQUIRE THAT A PUBLIC SERVANT OR PUBLIC OFFICIAL FOUND GUILTY OF CERTAIN OFFENSES REPAY HIS OR HER DEBT AND A CERTAIN AMOUNT OF HIS OR HER SALARY.

[HB2132](#) Hammer TO AMEND ARKANSAS LAW CONCERNING PUBLIC EMPLOYEES AND THE ARKANSAS WHISTLE-BLOWER ACT, ARKANSAS CODE § 21-1-601 ET SEQ.

[HB2250](#) Hammer TO ENHANCE CRIMINAL TRESPASS PENALTIES; AND TO PERMIT THE SEIZURE OF FOUR-WHEEL RECREATIONAL VEHICLES THAT ARE USED IN CONJUNCTION WITH A CRIMINAL TRESPASS VIOLATION.

[HB2287](#) Hammer TO BE KNOWN AS "JENNY'S LAW"; AND TO PROVIDE FOR MANDATORY MINIMUM SENTENCES.

[HB1391](#) Sabin TO PROHIBIT THE IMPORT, POSSESSION, SALE, AND BREEDING OF APES, MACAQUES,

AND BABOONS, EXCEPT BY QUALIFIED FACILITIES; TO REQUIRE REGISTRATION OF ALL PRIMATE; AND PROTECT PUBLIC SAFETY AND PROHIBIT MISTREATMENT OF PRIMATES.

[SB718](#) Files TO CREATE CRIMINAL AND CIVIL PENALTIES FOR CERTAIN ACTIVITIES RELATING TO SOFTWARE AND OTHER DEVICES AND MECHANISMS THAT MODIFY OR FALSIFY ELECTRONIC RECORDS FOR THE PURPOSE OF EVADING TAXES.

ARKANSAS CODE ANNOTATED TECHNICAL CORRECTION BILLS

Number	Sponsor	Subtitle
HB1715	Williams	TO REPEAL OBSOLETE PROVISIONS IN AND MAKE OTHER TECHNICAL CORRECTIONS TO TITLE 27 OF THE ARKANSAS CODE CONCERNING HIGHWAYS AND TRANSPORTATION.
HB1716	Williams	TO REPEAL OBSOLETE LAWS IN TITLE 26 OF THE ARKANSAS CODE.
HB1717	Williams	TO REPEAL CERTAIN OBSOLETE LAWS CONCERNING PUBLIC UTILITIES AND REGULATED INDUSTRIES UNDER TITLE 23 OF THE ARKANSAS CODE.
HB1718	Williams	TO AMEND OBSOLETE PROVISIONS OF TITLE 25 OF THE ARKANSAS CODE.
HB1719	Williams	TO REPEAL PROVISIONS OF TITLE 22 OF THE ARKANSAS CODE CONCERNING PUBLIC PROPERTY.
HB1720	Williams	AN ACT TO REPEAL OBSOLETE LAWS CONCERNING PUBLIC HEALTH IN TITLE 20 OF THE ARKANSAS CODE.
HB1721	Williams	TO REPEAL OBSOLETE PROVISIONS CONCERNING PUBLIC FINANCE IN TITLE 19 OF THE ARKANSAS CODE.
HB1722	Williams	TO REPEAL CERTAIN OBSOLETE LAWS CONTAINED IN TITLE 18 OF THE ARKANSAS CODE.
HB1723	Williams	TO AMEND ARKANSAS LAW TO REPEAL OBSOLETE PROVISIONS OF TITLE 17 OF THE ARKANSAS CODE CONCERNING PROFESSIONS, OCCUPATIONS, AND BUSINESSES.
HB1724	Williams	TO REPEAL OBSOLETE STATUTES IN TITLE 16; AND TO AMEND OTHER STATUTES AFFECTED BY THE OBSOLETE STATUTES IN TITLE 16.
HB1725	Williams	TO REPEAL OBSOLETE PROVISIONS CONCERNING NATURAL RESOURCES AND ECONOMIC DEVELOPMENT IN TITLE 15 OF THE ARKANSAS CODE.
HB1726	Williams	TO REPEAL OBSOLETE LAWS CONCERNING LOCAL GOVERNMENT UNDER TITLE 14 OF THE ARKANSAS CODE.
HB1727	Williams	TO REPEAL CERTAIN OBSOLETE LAWS CONCERNING LIBRARIES, ARCHIVES, AND CULTURAL RESOURCES UNDER TITLE 13 OF THE ARKANSAS CODE.
HB1728	Williams	TO REPEAL OBSOLETE PROVISIONS IN AND MAKE OTHER TECHNICAL CORRECTIONS TO TITLE 12 OF THE ARKANSAS CODE CONCERNING LAW ENFORCEMENT, CORRECTIONS, EMERGENCY MANAGEMENT, AND MILITARY AFFAIRS.
HB1729	Williams	AN ACT TO REPEAL OBSOLETE LAWS CONCERNING LABOR AND EMPLOYMENT IN TITLE 11 OF THE ARKANSAS CODE OF 1987.
HB1730	Williams	TO REPEAL VARIOUS OBSOLETE PROVISIONS IN TITLE 10 OF THE ARKANSAS CODE REGARDING THE GENERAL ASSEMBLY.
HB1731	Williams	TO REPEAL PROVISIONS OF TITLE 9 OF THE ARKANSAS CODE CONCERNING FAMILY LAW.
HB1732	Williams	TO REPEAL OBSOLETE PROVISIONS CONCERNING ENVIRONMENTAL LAW IN TITLE 8 OF THE ARKANSAS CODE.
HB1733	Williams	TO REPEAL AN OBSOLETE SECTION OF TITLE 7 OF THE ARKANSAS CODE CONCERNING BOARDS OF ELECTION COMMISSIONERS.
HB1734	Williams	TO REPEAL OR AMEND OBSOLETE LANGUAGE IN ARKANSAS CODE TITLE 6 CONCERNING PUBLIC EDUCATION.
HB1735	Williams	TO REPEAL OBSOLETE STATUTES IN THE CRIMINAL CODE, TITLE 5, AND TO AMEND STATUTES AFFECTED BY THE OBSOLETE STATUTES BEING REPEALED.
HB1736	Williams	TO REPEAL OR AMEND CERTAIN OBSOLETE LAWS CONCERNING BUSINESS AND COMMERCIAL LAW CONTAINED IN TITLE 4 OF THE ARKANSAS CODE.

SPECIAL ORDER OF BUSINESS - TUESDAY, APRIL 2, 2013

Number	Sponsor	Subtitle
HB2182	C. Armstrong	TO EXTEND CERTAIN PAROLE PROVISIONS CONTAINED IN ACT 570 OF 2011 TO INMATES WHO WERE CONVICTED BEFORE THE EFFECTIVE DATE OF THE ACT.

DEFERRED

Number	Sponsor	Subtitle
HB1012	Payton	TO PROVIDE FOR JURISDICTIONAL COOPERATION REGARDING ARRESTS, SEARCHES, AND SEIZURES BY FEDERAL EMPLOYEES.
HB1014	Harris	TO EXTEND THE CONCEALED HANDGUN LICENSE EXEMPTION TO FORMER CERTIFIED LAW ENFORCEMENT OFFICERS.
HB1026	B. Wilkins	TO INCREASE THE PENALTIES FOR AGGRAVATED ASSAULT AND MISDEMEANOR ASSAULT IF COMMITTED AGAINST CERTAIN PERSONS.
HB1030	D. Altes	CONCERNING THE USE OF A MOTOR VEHICLE ACCIDENT REPORT FOR COMMERCIAL PURPOSES; TO REGULATE THE RELEASE OF MOTOR VEHICLE ACCIDENT REPORTS.
HB1114	Hickerson	AN ACT TO EXEMPT CERTIFIED LAW ENFORCEMENT OFFICERS FROM JURY DUTY; AND FOR OTHER PURPOSES.
HB1258	Dale	TO INCREASE THE PERCENTAGE OF A CHILD SUPPORT PAYMENT THAT CAN BE WITHHELD FOR THE PURPOSE OF LIQUIDATING CHILD SUPPORT ARREARAGES.
HB1361	Talley	TO ADD THE EXECUTIVE DIRECTOR OF THE STATE CRIME LABORATORY TO THE STATE CRIME LABORATORY BOARD; AND TO PROHIBIT THE EXECUTIVE DIRECTOR FROM PARTICIPATING IN CERTAIN ACTIONS OF THE STATE CRIME LABORATORY BOARD.
HB1394	Fielding	TO MAKE OUR ROADS SAFER BY PROVIDING FOR EDUCATION AND TESTING CONCERNING DISTRACTED DRIVING; AND TO ENSURE DETERRENCE FROM TEXTING WHILE DRIVING BY INCREASING THE RELATED PENALTIES.
HB1367	Vines	CONCERNING A GARNISHMENT AGAINST THE STATE OR POLITICAL SUBDIVISION AFTER A JUDGMENT.
HB1269	Catlett	TO ALLOW A CONCEALED HANDGUN LICENSEE TO KEEP A HANDGUN IN HIS OR HER LOCKED VEHICLE ON HIS OR HER EMPLOYER'S PARKING LOT.
HB1284	Murdock	TO AMEND THE LAWS CONCERNING THE CARRYING OF A CONCEALED HANDGUN IN A CHURCH OR OTHER PLACE OF WORSHIP; TO EXTEND STATUTORY CHARITABLE IMMUNITY TO A CHURCH OR OTHER PLACE OF WORSHIP; AND TO DECLARE AN EMERGENCY.
HB1833	Williams	REVISING THE CURRENT LAWS GOVERNING SCRAP METAL TRANSACTIONS AND CONCERNING THE THEFT OF SCRAP METAL.
HB1740	Word	TO REFORM LANDLORD AND TENANT LAWS; AND TO IMPLEMENT THE RECOMMENDATIONS OF THE NON-LEGISLATIVE COMMISSION ON THE STUDY OF LANDLORD-TENANT LAWS CREATED BY ACT 1198 OF 2011.
HB1764	Nickels	CONCERNING THE ELIGIBILITY, APPLICATION, PROCESS, AND EFFECT OF THE EXPUNGEMENT OR SEALING OF A PERSON'S RECORD OF A CRIMINAL CONVICTION.
HB1795	McCrary	CONCERNING THE POSSESSION OF, TRANSPORTATION OF, SALE, PURCHASE, OR TRANSACTION OF SCRAP METAL; CONCERNING CRIMINAL OFFENSES INVOLVING SCRAP METAL.
HB1798	Nickels	TO REGULATE PLATS THE AMENDMENT OF AND BILLS OF ASSURANCE AND THE FILING OF PLATS AND BILLS OF ASSURANCE.
HB1408	Scott	TO BE KNOWN AS THE PERMITTED OPEN CARRY ACT.
HB1900	C. Armstrong	CONCERNING THE CRIMINAL JUSTICE SYSTEM FOR FIRST-TIME OR NONVIOLENT CRIMINAL OFFENDERS.
HB1951	Love	PROHIBITING THE POSSESSION AND USE OF A TASER STUN GUN.
HB1993	Steel	CONCERNING SENTENCES FOR JUVENILES CONVICTED OF CAPITAL MURDER.
HB1990	Kizzia	TO INCLUDE GRANT AND HOT SPRING COUNTIES IN THE STATE DISTRICT COURT PROGRAM.

HB2051	Wright	TO CLARIFY THE BANKRUPTCY LIEN AVOIDANCE STATUTES.
HB2060	Shepherd	TO CREATE THE CIVIL JUSTICE REFORM ACT OF 2013 CONCERNING CERTAIN CIVIL CLAIMS.
HB2062	Shepherd	TO CREATE AMENDMENTS TO SUBSTANTIVE LAW CONCERNING CERTAIN CIVIL CLAIMS.
HB2108	S. Malone	IMPOSING AN ADDITIONAL COURT COST ON ALL PERSONS CONVICTED OF A CRIMINAL OFFENSE INVOLVING DOMESTIC VIOLENCE WITH THE PROCEEDS FUNDING CRISIS CENTERS.
HB2118	Walker	CONCERNING THE RESTORATION OF RIGHTS AND PRIVILEGES FOR CERTAIN PERSONS CONVICTED OF A FELONY.
HB2144	Lowery	CONCERNING THE SEALING OR EXPUNGEMENT OF CERTAIN LEGAL DOCUMENTS RELATING TO CRIMINAL RECORDS.
HB2166	Walker	TO REPEAL ARKANSAS'S CAPITAL PUNISHMENT LAWS; AND TO ABOLISH CAPITAL PUNISHMENT.
HB2167	Walker	TO PROHIBIT OPEN CARRY OR CONCEALED CARRY OF FIREARMS ON THE STATE CAPITOL GROUNDS.
HB2168	Vines	TO AMEND THE OFFENSE OF THEFT OF PROPERTY; TO AMEND THE LAW CONCERNING PAWN SHOPS AND PAWNBROKERS; AND TO AMEND THE LAW CONCERNING THE SALE OR PAWN OF STOLEN PROPERTY.
HB2171	Steel	CONCERNING THE OFFENSE OF THEFT BY RECEIVING.
HB2207	H. Wilkins	TO REESTABLISH THE TASK FORCE ON RACIAL PROFILING, ARKANSAS CODE § 12-12-1401 ET SEQ. THAT EXPIRED ON JUNE 30, 2012.
HB2223	Dotson	CONCERNING THE FEE REQUIRED DURING THE APPLICATION PROCESS FOR A CONCEALED HANDGUN LICENSE.
HB2231	Davis	TO REQUIRE THE CONTEMPORANEOUS FILING OF A CERTIFICATE OF MERIT AS A CONDITION OF FILING ANY ACTION FOR DAMAGES ALLEGING PROFESSIONAL NEGLIGENCE BY A LICENSED OR REGISTERED ENGINEER.
HB2239	Dotson	TO BE KNOWN AS THE SELF DEFENSE ACT OF 2013.
HB2242	Lowery	TO ESTABLISH THE PUBLIC SAFETY SUPPORT SYSTEM PROGRAM TO ASSIST LAW ENFORCEMENT.
HB2264	Steel	CONCERNING THE OFFENSE OF THEFT BY RECEIVING.
HB2278	Wardlaw	CONCERNING THE MEMBERSHIP AND DUTIES OF THE ARKANSAS COALITION FOR JUVENILE JUSTICE.
HB2289	C. Douglas	CONCERNING THE ASSESSMENT, COLLECTION, AND APPROPRIATION OF THE FEE AUTHORIZED BY § 16-17-129.
HB2291	Dotson	TO AMEND ARKANSAS LAW CONCERNING THE FEE ASSOCIATED WITH AN APPLICATION FOR A LICENSE TO CARRY A CONCEALED HANDGUN.
HB2297	Steel	CONCERNING THE OFFENSE OF FORGERY.
HR1044	Bell	ENCOURAGING THE ARKANSAS SUPREME COURT TO ALLOW A MINOR VICTIM OF A SEX OFFENSE TO TESTIFY BY VIDEO.
HB1414	Hammer	CONCERNING THE CRIMINAL OFFENSE OF THEFT OF SCRAP METAL; CONCERNING REGULATIONS GOVERNING SCRAP METAL TRANSACTIONS; AND TO DECLARE AN EMERGENCY.
HB1474	Lowery	TO ESTABLISH MURDER IN THE SECOND DEGREE AS A SEVENTY-PERCENT CRIME.
HB1501	H. Wilkins	TO AUTHORIZE THE DISMISSAL OF FRIVOLOUS OR REPETITIVE LAWSUIT REGARDING CONDITIONAL RELEASE OF AN INDIVIDUAL WITH A MENTAL ILLNESS.
HB1937	C. Douglas	TO BE KNOWN AS ANGELA'S LAW IN HONOR OF ANGELA ALLEN; CONCERNING SENTENCES FOR FELONY-LEVEL SEXUAL OFFENSES NOT RESULTING IN INCARCERATION IN THE DEPARTMENT OF CORRECTION.
HB1972	Lowery	TO AMEND THE STATUTES GOVERNING THE ABATEMENT OF NUISANCES THAT ARE USED FOR THE MANUFACTURE, SALE, OR USE OF A CONTROLLED SUBSTANCE.
HB2093	Lowery	TO EXPUNGE AND SEAL DISMISSED EX PARTE TEMPORARY ORDERS OF PROTECTION.

