

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**

A BILL ACT 1015 OF 1991
HOUSE BILL 1835

4 **By: Representatives Jordan and Forgey**

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For An Act To Be Entitled

8 *"AN ACT TO REQUIRE LAW ENFORCEMENT AGENCIES TO FINGERPRINT*
9 *AND PHOTOGRAPH PERSONS ARRESTED FOR CERTAIN SERIOUS*
10 *CRIMINAL OFFENSES; TO REPORT THOSE FINGERPRINTS AND*
11 *PHOTOGRAPHS WITHIN FORTY-EIGHT (48) HOURS OF ARREST; TO*
12 *REPEAL ARKANSAS CODE § 12-12-101 RELATING TO FINGERPRINTS;*
13 *AND FOR OTHER PURPOSES."*

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

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17 SECTION 1. (a) It shall be the duty of all law enforcement agencies in
18 Arkansas to fingerprint all individuals arrested for:

19 (1) All felony offenses;

20 (2) All Class A misdemeanor offenses wherein violence or the use
21 of a weapon was involved; and

22 (3) All offenses involving the manufacture, delivery, possession
23 of a controlled substance or possession with intent to manufacture or deliver
24 a controlled substance.

25 (b) Further, it shall also be the duty of all law enforcement agencies
26 in Arkansas to submit the fingerprints of individuals who are fingerprinted
27 under this act to the state identification bureau within forty-eight (48)
28 hours after making the arrests.

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30 SECTION 2. Any individual who is arrested for a felony or misdemeanor
31 and who refuses to be fingerprinted or photographed under this act shall be
32 guilty of a Class C misdemeanor.

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34 SECTION 3. All provisions of this act of general and permanent nature
35 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
36 Revision Commission shall incorporate the same in the Code.

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SECTION 4. If any provisions of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provisions or application, and to this end the provisions of this act are declared to be severable.

SECTION 5. (a) Arkansas Code § 12-12-101, the same being Act 1038 of 1985, is hereby repealed.

(b) All other laws and parts of laws in conflict with this act are hereby repealed.

/s/Jordan and Forgey

APPROVED: 4/8/91