

1 **State of Arkansas**  
2 **80th General Assembly**  
3 **Regular Session, 1995**  
4 **By: Representative Pollan**

# **A Bill**

**ACT 922 OF 1995**  
**HOUSE BILL 1560**

## **For An Act To Be Entitled**

8 "AN ACT TO CREATE A DNA (DEOXYRIBONUCLEIC ACID) DATA BASE  
9 TO BE USED BY THE STATE CRIME LABORATORY TO ASSIST THE  
10 CRIMINAL JUSTICE SYSTEM IN SOLVING CERTAIN CRIMES  
11 COMMITTED AGAINST PERSONS; AND FOR OTHER PURPOSES."

## **Subtitle**

14 "CREATE A DNA (DEOXYRIBONUCLEIC ACID)  
15 DATA BASE TO BE USED BY THE STATE CRIME  
16 LABORATORY TO ASSIST THE CRIMINAL  
17 JUSTICE SYSTEM IN SOLVING CERTAIN CRIMES  
18 COMMITTED AGAINST PERSONS"

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

22 *SECTION 1. (a) For purposes of this act the term "sex offense" shall*  
23 *have the meaning prescribed by Arkansas Code 12-12-902.*

24 *(b) After an entry of a plea of guilty of, or nolo contendere to, or on*  
25 *a return of a verdict of guilty of committing a sex offense, including*  
26 *attempts, the courts shall order the defendant to provide a sample of blood*  
27 *for the purpose of determining secretor status, blood type and for DNA*  
28 *(Deoxyribonucleic Acid) analysis.*

30 *SECTION 2. Every person incarcerated in the Department of Correction on*  
31 *the effective date of this act for a sex offense, including attempts, shall*  
32 *provide a sample of blood for the purpose of determining secretor status,*  
33 *blood type and for DNA (Deoxyribonucleic Acid) analysis. Any inmate who*  
34 *refuses to provide the blood sample required by this act will receive no*  
35 *further sentence reduction from meritorious good time until such time as a*  
36 *sample is provided and the Department shall notify the Post Prison Transfer*

1 Board regarding the refusal.

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3 SECTION 3. The results of such tests and analysis shall be recorded,  
4 preserved and disseminated in a manner established under Arkansas Code 12-12-  
5 312.

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7 SECTION 4. All provisions of this act of a general and permanent  
8 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
9 Code Revision Commission shall incorporate the same in the Code.

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11 SECTION 5. If any provision of this act or the application thereof to  
12 any person or circumstance is held invalid, such invalidity shall not affect  
13 other provisions or applications of the act which can be given effect without  
14 the invalid provision or application, and to this end the provisions of this  
15 act are declared to be severable.

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17 SECTION 65. All laws and parts of laws in conflict with this act are  
18 hereby repealed.

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20 /s/Rep. Pollan

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22 APPROVED: 4-5-95

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