

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 83rd General Assembly
3 Regular Session, 2001
4

A Bill

Act 903 of 2001
SENATE BILL 145

5 By: Senator Everett
6
7

For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE 16-89-111 TO INCLUDE
10 JUVENILE COURTS IN THE EXCLUSION OF ACCOMPLICE
11 TESTIMONY WHEN BEING USED TO CONVICT OR ADJUDICATE
12 JUVENILE DEFENDANTS; AND FOR OTHER PURPOSES.
13

Subtitle

14 TO CLARIFY THAT JUVENILE COURTS ARE
15 INCLUDED IN THE EXCLUSION OF ACCOMPLICE
16 TESTIMONY WHEN USED TO CONVICT OR
17 ADJUDICATE JUVENILE DEFENDANTS.
18
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. Arkansas Code 16-89-111 is amended to read as follows:
24 16-89-111. Evidence generally.

25 (a) The state must then offer the evidence in support of the
26 indictment.

27 (b) The defendant, or his counsel, must then offer his evidence in
28 support of his defense.

29 (c) The parties may then respectively offer rebutting evidence only,
30 unless the court for good reason, in furtherance of justice, permits them to
31 offer evidence upon their original case.

32 (d) A confession of a defendant, unless made in open court, will not
33 warrant a conviction, unless accompanied with other proof that the offense was
34 committed.

35 (e)(1) A conviction or an adjudication of delinquency cannot be had in
36 any case of felony upon the testimony of an accomplice, including in juvenile

1 courts, unless corroborated by other evidence tending to connect the defendant
2 or the juvenile with the commission of the offense. The corroboration is not
3 sufficient if it merely shows that the offense was committed and the
4 circumstances thereof.

5 (2) However, in misdemeanor cases, a conviction may be had upon
6 the testimony of an accomplice.

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

APPROVED: 3/19/2001