

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

# A Bill

HOUSE BILL 1708

5 By: Representative Hickerson  
6 By: Senator Hickey  
7

## For An Act To Be Entitled

9 AN ACT CONCERNING THE CRIMINAL OFFENSE OF CRIMINAL  
10 POSSESSION OF BODY ARMOR; AND FOR OTHER PURPOSES.  
11

## Subtitle

14 CONCERNING THE CRIMINAL OFFENSE OF  
15 CRIMINAL POSSESSION OF BODY ARMOR.  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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20 SECTION 1. Arkansas Code § 5-79-101 is amended to read as follows:

21 5-79-101. Criminal possession of body armor.

22 (a) ~~No~~ A person may possess ~~commits criminal possession of~~ body armor  
23 ~~if that person~~ the person knowingly possesses body armor and he or she:

24 (1) has ~~has~~ been found guilty of or has pleaded guilty or nolo  
25 contendere to any of the following offenses:

26 ~~(1)(A)~~ (A) Capital murder, § 5-10-101;

27 ~~(2)(B)~~ (B) Murder in the first degree, § 5-10-102;

28 ~~(3)(C)~~ (C) Murder in the second degree, § 5-10-103;

29 ~~(4)(D)~~ (D) Manslaughter, § 5-10-104;

30 ~~(5)(E)~~ (E) Aggravated robbery, § 5-12-103;

31 ~~(6)(F)~~ (F) Battery in the first degree, § 5-13-201; ~~or~~

32 ~~(7)(G)~~ (G) Aggravated assault, § 5-13-204+; or

33 (H) A felony violation of the Uniform Controlled  
34 Substances Act, § 5-64-401 et seq.; or

35 (2) Is committing or attempts to commit:

36 (A) A felony involving violence as defined in § 5-4-



1 501(d)(2);

2 (B) Capital murder, § 5-10-101, manslaughter, § 5-10-104,  
 3 or negligent homicide, § 5-10-105;

4 (C) False imprisonment in the first degree, § 5-11-103,  
 5 false imprisonment in the second degree, § 5-11-104, vehicular piracy, § 5-  
 6 11-105, or permanent detention or restraint, § 5-11-106;

7 (D) Robbery, § 5-12-102;

8 (E) Battery in the second degree, § 5-13-202; or

9 (F) Trafficking of persons, § 5-18-103

10 (b) As used in this section, “body armor” means any material designed  
 11 to be worn on the body and to provide bullet penetration resistance.

12 (c) ~~A violation of this section constitutes~~ Criminal possession of  
 13 body armor is a Class A ~~misdemeanor~~ D felony.

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 16 **APPROVED: 03/28/2013**  
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