

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

As Engrossed: H2/1/21

# A Bill

HOUSE BILL 1184

5 By: Representative Dalby  
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## For An Act To Be Entitled

8 AN ACT CONCERNING THE DRAWING OF A PERSON'S BLOOD  
9 WHEN A PERSON WAS OPERATING OR IN ACTUAL PHYSICAL  
10 CONTROL OF A MOTORBOAT OR MOTOR VEHICLE WHILE  
11 INTOXICATED; AND FOR OTHER PURPOSES.  
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### Subtitle

14 CONCERNING THE DRAWING OF A PERSON'S  
15 BLOOD WHEN A PERSON WAS OPERATING OR IN  
16 ACTUAL PHYSICAL CONTROL OF A MOTORBOAT OR  
17 MOTOR VEHICLE WHILE INTOXICATED.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 *SECTION 1. Arkansas Code § 5-65-202(c), concerning the test of a*  
24 *person's blood when a person was operating or in actual physical control of a*  
25 *motorboat while intoxicated, is amended to read as follows:*

26 *(c) A Absent exigent circumstances, a test of a person's blood under*  
27 *this section to determine the person's alcohol concentration, controlled*  
28 *substance content, or other intoxicating substance content in his or her*  
29 *blood requires a warrant based on probable cause that the person was*  
30 *operating or in actual physical control of a motorboat on the waters of this*  
31 *state or a motor vehicle while intoxicated or the person's express consent to*  
32 *the test.*  
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34 *SECTION 2. Arkansas Code § 5-65-208(d), concerning the test of a*  
35 *person's blood when a person was operating or in actual physical control of a*  
36 *motorboat or motor vehicle while intoxicated, is amended to read as follows:*



1           (d) A *Absent exigent circumstances, a* test of a person's blood under  
2 *this section to determine the person's alcohol concentration, controlled*  
3 *substance content, or other intoxicating substance content in his or her*  
4 *blood requires a warrant based on probable cause that the person was*  
5 *operating or in actual physical control of a motorboat on the waters of this*  
6 *state or a motor vehicle while intoxicated* *or the person's express consent to*  
7 *the test.*

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/s/Dalby

**APPROVED: 2/24/21**