

ARKANSAS SENATE
91st General Assembly - Regular Session, 2017
Amendment Form

Subtitle of House Bill No. 1554

CONCERNING PRIVATE REAL PROPERTY RIGHTS; TO PROTECT NATURAL RESOURCES,
AGRICULTURAL RESOURCES, AND HISTORICAL ARTIFACTS; TO DETER CRIMINAL ACTIVITY ON A
PERSON'S REAL PROPERTY; AND CONCERNING THE OFFENSE OF CRIMINAL TRESPASS.

Amendment No. 1 to House Bill No. 1554

Amend House Bill No. 1554 as originally introduced:

Page 3, delete lines 30 through 36

AND

Page 4, delete lines 1 through 8, and substitute the following:

"(2)(A) Class A misdemeanor if:

(i) At the time of the criminal trespass, the person
is in possession of one (1) or more of the following:

(a) A killing device;

(b) A harvesting device;

(c) A device primarily used for the location
and unearthing of buried or submerged artifacts; or

(d) A tool designed to gain entry into a
structure by breaking a lock or breaking through a fence, including without
limitation a boltcutter;

(ii) The person is on premises containing a
commercial fishing or fish breeding operation and at that time is in
possession of a fishing pole or net designed to capture fish; or

(iii) The person has a prior conviction for a
violation of this section.

(B) Criminal trespass is a Class C misdemeanor under this
subdivision (b)(2) if the person proves by a preponderance of the evidence
that the person was lawfully hunting or retrieving an animal, including a
dog;"

AND

Page 5, delete lines 31 through 36

AND



Page 6, delete lines 1 through 10, and substitute the following:

"(2)(A) Class A misdemeanor if:

(i) At the time of the criminal trespass on premises located in an unincorporated area, the person is in possession of one (1) or more of the following:

(a) A killing device;

(b) A harvesting device;

(c) A device primarily used for the location and unearthing of buried or submerged artifacts; or

(d) A tool designed to gain entry into a structure by breaking a lock or breaking through a fence, including without limitation a boltcutter.

(ii) The person is on premises containing a commercial fishing or fish breeding operation and at that time is in possession of a fishing pole or net designed to capture fish; or

(iii) The person has a prior conviction for a violation of this section.

(B) Criminal trespass on premises located in an unincorporated area is a Class C misdemeanor under this subdivision (b)(2) if the person proves by a preponderance of the evidence that the person was lawfully hunting or retrieving an animal, including a dog;"

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator J. Hutchinson

BPG/TDW - 03-14-2017 17:55:38

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Secretary