

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 87th General Assembly
3 Regular Session, 2009
4

A Bill

HOUSE BILL 2246

5 By: Representative Maloch
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For An Act To Be Entitled

9 AN ACT TO PROVIDE FOR THE DEFERMENT OF A SENTENCE
10 FOR A PERSON WITH A COMMERCIAL DRIVERS LICENSE;
11 AND FOR OTHER PURPOSES.
12

Subtitle

13 TO PROVIDE FOR THE DEFERMENT OF A
14 SENTENCE FOR A PERSON WITH A COMMERCIAL
15 DRIVERS LICENSE.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 27-23-128 is amended to read as follows:
22 27-23-128. Deferment of sentence – Restrictions.

23 No circuit or district court judge may utilize the provisions of §§ 5-
24 4-311, 5-4-321, 16-90-115, or 16-93-301 – 16-93-303 or any other program to
25 defer imposition of sentence in instances in which the defendant holds a
26 commercial driver license and is charged with violating any state or local
27 traffic law other than a parking violation~~+~~, unless:

28 (1) The driver was not in the course of any activity for which a
29 commercial driver license, rather than a Class D or Class M noncommercial
30 license, § 17-33-101 et seq., is required; or

31 (2) The judge makes a written finding that a finding of guilt
32 would create an undue hardship on the driver.
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