

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4

As Engrossed: S4/5/19

# A Bill

HOUSE BILL 1633

5 By: Representatives Tosh, A. Collins  
6 By: Senator Bond  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW REGARDING WITNESS  
10 INTIMIDATION, RETALIATION, TAMPERING WITH EVIDENCE,  
11 JURY TAMPERING, AND BRIBERY; AND FOR OTHER PURPOSES.  
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### Subtitle

15 TO AMEND THE LAW REGARDING WITNESS  
16 INTIMIDATION, RETALIATION, TAMPERING WITH  
17 EVIDENCE, JURY TAMPERING, AND BRIBERY.  
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19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code § 5-53-108(b), concerning witness bribery, is  
23 amended to read as follows:

24 (b) Witness bribery is a Class ~~C~~ B felony.  
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26 SECTION 2. Arkansas Code § 5-53-109(b), concerning intimidating a  
27 witness, is amended to read as follows:

28 (b) Intimidating a witness is a Class ~~C~~ B felony.  
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30 SECTION 3. Arkansas Code § 5-53-110 is amended to read as follows:  
31 5-53-110. Tampering.

32 (a) A person commits the offense of tampering if, believing that an  
33 official proceeding or investigation is pending or about to be instituted, he  
34 or she induces or attempts to induce another person to:

35 (1) Testify or inform falsely;

36 (2) Withhold any unprivileged testimony, information, document,



1 or thing regardless of the admissibility under the rules of evidence of the  
2 testimony, information, document, or thing and notwithstanding the relevance  
3 or probative value of the testimony, information, document, or thing to an  
4 investigation;

5 (3) Elude legal process summoning that person to testify or  
6 supply evidence, regardless of whether the legal process was lawfully issued;  
7 or

8 (4) Absent himself or herself from any proceeding or  
9 investigation to which that person has been summoned.

10 (b)(1) Tampering under subdivision (a)(1) of this section is a Class D  
11 felony.

12 (2) Otherwise, Tampering tampering is a Class A misdemeanor.

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14 SECTION 4. Arkansas Code § 5-53-112(b), concerning retaliation against  
15 a witness, informant, or juror, is amended to read as follows:

16 (b) Retaliation against a witness, informant, or juror is a Class ~~D~~ C  
17 felony.

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19 SECTION 5. Arkansas Code § 5-53-114(b), concerning intimidating a  
20 witness, informant, or juror, is amended to read as follows:

21 (b) Intimidating a juror, a witness, or an informant is a Class ~~G~~ B  
22 felony.

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24 SECTION 6. Arkansas Code § 5-53-115(b), concerning the penalty for the  
25 offense of jury tampering, is amended to read as follows:

26 (b) Juror tampering is a Class ~~D~~ C felony.

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29 /s/Tosh

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32 **APPROVED: 4/15/19**