

ARKANSAS SENATE
83rd General Assembly - Regular Session, 2001
Amendment Form

Subtitle of Senate Bill No. 4

"AN ACT TO PROVIDE METHODS FOR PRESERVING DNA AND OTHER SCIENTIFIC
EVIDENCE."

Amendment No. 2 to Senate Bill No. 4.

Amend Senate Bill No. 4 as engrossed, S2/19/01:

Page 1, line 9, delete "EXTENDING" and substitute "AN ALTERNATE MEANS OF SATISFACTION OF"

AND

Page 1, line 18, delete "EVIDENCE" and substitute "EVIDENCE AND TO PROVIDE A REMEDY FOR INNOCENT PERSONS WHO MAY BE EXONERATED BY THIS EVIDENCE."

AND

Page 2, line 8, delete "is innocent" and substitute "who alleged actual innocence"

AND

Page 2, delete lines 10 and 11 and substitute:
"(2) The procedures for persons who allege actual innocence shall be in accordance with §§ 16-112-124 through 16-112-129."

AND

Page 2, line 24, delete "factual" and substitute "scientific"

AND

Page 2, delete line 35 and substitute:
"SECTION 5. Arkansas Code Title 16, Chapter 12, Subchapter 1 is amended by adding an additional section to read as follows:
16-112-125. Form of motion.
(a)(1) Except when direct appeal is available, a person convicted of a crime may make a motion for"

AND

Page 3, delete line 32 and substitute:

"SECTION 6. Arkansas Code Title 16, Chapter 12, Subchapter 1 is amended by adding an additional section to read as follows:

16-112-126. Contents of motion.

(a) The petition filed under this act shall be entitled in"

AND

Page 4, delete line 26 and substitute:

"SECTION 7. Arkansas Code Title 16, Chapter 12, Subchapter 1 is amended by adding an additional section to read as follows:

16-112-127. Other pleadings.

(a) Within twenty (20) days after the filing of the"

AND

Page 5, delete line 3 and substitute:

"SECTION 8. Arkansas Code Title 16, Chapter 12, Subchapter 1 is amended by adding an additional section to read as follows:

16-112-128. Hearing.

(a) Unless the petition and the files and records of the"

AND

Page 5, delete line 25 and substitute:

"SECTION 9. Arkansas Code Title 16, Chapter 12, Subchapter 1 is amended by adding an additional section to read as follows:

16-112-129. Appeals.

(a) The appealing party shall, within thirty (30) calendar"

AND

Page 6, delete line 14 and substitute:

"(d) Subsection (c) of this section shall not apply to any tests before trial of a matter that will be governed by relevant constitutional provisions, statutory law, or court rules.

(e) The executive director and the State Crime Laboratory shall give"

AND

Page 7, line 13, delete "intentionally" and substitute "purposely"

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

By: Senator K. Smith
MG/VJF - 031520010904
VVF217

Secretary