

# Hall of the House of Representatives

86th General Assembly - Regular Session, 2007

## Amendment Form

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### Subtitle of House Bill No. 2779

"THE ARKANSAS TAXPAYER AND CITIZEN PROTECTION ACT OF 2007."

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### Amendment No. 1 to House Bill No. 2779.

Amend House Bill No. 2779 as originally introduced:

Page 1, delete lines 24 and 25 and substitute the following:

"SECTION 2. Arkansas Code Title 5, Chapter 60, Subchapter 1 is amended to add an additional section to read as follows:

5-60-126. Transporting or concealing persons illegally in the United States.

(a) It is unlawful for a person to:

(1) Transport, move, or attempt to transport within the United States another person knowing or in reckless disregard of the fact that the other person has come to, entered, or remained in the United States in violation of law in furtherance of the illegal presence of the other person in the United States; or

(2) Conceal, harbor, or shelter from detection another person in any place, including without limitation any building or means of transportation, knowing or in reckless disregard of the fact that the other person has come to, entered, or remained in the United States in violation of law.

(b) Upon conviction, any person violating subsection (a) of this section, upon conviction, is guilty of a Class D felony.

SECTION 3. Arkansas Code Title 12, Chapter 1, Subchapter 1 is amended to add an additional subchapter to read as follows:

12-1-101. Review of citizenship status of incarcerated person.

(a) When a person is incarcerated in this state for any period, a reasonable effort shall be made by the law enforcement agency incarcerating the person to determine the citizenship status of the person.

(b)(1) If the person is a foreign national, the law enforcement agency shall make a reasonable effort to verify that the person has been lawfully admitted into the United States and, if the person has been lawfully admitted, then the law enforcement agency shall determine if that the person's lawful status has not expired.

(2) If verification of lawful status cannot be made from documents in the person's possession, verification shall be made within forty-eight (48) hours through a query to the Immigration and Customs



Enforcement's Law Enforcement Support Center of the United States Department of Homeland Security or other office or agency designated for that purpose by the United States Department of Homeland Security.

(c) For the purpose of determining the grant of or issuance of bond, a person whose citizenship status has been verified under subsection (b) of this section to be a foreign national who has not been lawfully admitted to the United States is deemed to be a flight risk."

The Amendment was read \_\_\_\_\_  
By: Representative Woods  
MBM/LNS - 03-23-2007 12:37  
MBM743 \_\_\_\_\_ Chief Clerk