

Hall of the House of Representatives
91st General Assembly - Regular Session, 2017
Amendment Form

Subtitle of House Bill No. 1385

TO BE KNOWN AS "SHANNON'S LAW"; AND CONCERNING THE POSSESSION AND SALE OF BLUE LIGHTS AND LAW ENFORCEMENT INSIGNIA.

Amendment No. 1 to House Bill No. 1385

Amend House Bill No. 1385 as originally introduced:

Delete SECTION 1 in its entirety and substitute the following:

"SECTION 1. Arkansas Code § 5-77-201 is amended to read as follows:

5-77-201. ~~Blue light or blue lens cap sales~~ Unlawful possession, purchase, sale, or transfer of a blue light or blue lens cap.

~~(a)(1) It is unlawful to sell or transfer a blue light or blue lens cap to any person other than a law enforcement officer or a county coroner.~~

~~(2) It is unlawful for a person other than a law enforcement officer or a county coroner to buy a blue light or blue lens cap.~~

(a) It is unlawful for a person to:

(1) Knowingly possess or purchase a blue light or blue lens cap with a purpose to unlawfully use the blue light or blue lens cap; or

(2) Transfer a blue light or blue lens cap to another person whom the actor knows or should know has a purpose to unlawfully use the blue light or blue lens cap.

(b) Before selling a blue light or blue lens cap, the seller shall require the buyer to provide identification that legally demonstrates that the buyer is a law enforcement officer, auxiliary law enforcement officer, or a county coroner.

(c) Any sale of a blue light or blue lens cap shall be reported to the Department of Arkansas State Police on a form prescribed by the department.

(d) Upon conviction, a person who violates this section is guilty of a Class ~~D~~ C felony.

(e) As used in this section:

(1) "Auxiliary law enforcement" officer means the same as defined in § 12-9-301;

~~(1)(2)~~ (2) "Blue lens cap" means a lens cap designed to produce a blue color of light when light from a device designed for an emergency vehicle passes through the lens cap; and

~~(2)(3)~~ (3) "Blue light" means any operable device that:

(A) Emits a blue color of light;

(B) Is designed for use by an emergency vehicle or is similar in appearance to a device designed for use by an emergency vehicle;



and

(C) Can be operated by use of the vehicle's battery, the vehicle's electrical system, or a dry cell battery; and

(4) "Illegitimately" includes violating a state or federal law.

(f) This section does not apply to the following persons if acting with a lawful purpose:

(1) An in-state or out-of-state law enforcement officer or auxiliary law enforcement officer;

(2) A county coroner;

(3) A person employed by an in-state or out-of-state or federal agency who is operating a vehicle equipped with a blue light or blue lens cap during the course and scope of his or her employment; or

(4) A legitimate seller or vendor of blue lights or blue lens caps."

The Amendment was read _____

By: Representative Lemons

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Chief Clerk