

Hall of the House of Representatives
93rd General Assembly - Regular Session, 2021
Amendment Form

Subtitle of House Bill No. 1323

TO CREATE THE ARKANSAS IN-LIFE PHOTOGRAPH ACT; AND PERMITTING THE IN-LIFE
PHOTOGRAPH OF A CRIME VICTIM TO BE DISPLAYED AT THE TRIAL OF A PERSON ACCUSED OF
COMMITTING THE HOMICIDE.

Amendment No. 1 to House Bill 1323

Amend House Bill No. 1323 as originally introduced:

Delete SECTION 2 in its entirety, and substitute the following:

"SECTION 2. Arkansas Code Title 16, Chapter 90, Subchapter 11, is amended to add an additional section to read as follows:

16-90-1116. Photograph of deceased person in homicide case.

(a) This section shall be known and may be cited as the "Arkansas In-Life Photograph Act".

(b)(1) In a homicide case, the deceased person and the deceased person's family have a right to have a photograph depicting the deceased person as he or she appeared in life before the crime occurred admitted and displayed at trial during the state's case-in-chief, if the photograph is submitted by the prosecution and is a reasonable, accurate, and appropriate depiction of the deceased person, subject to Rule 403 of the Arkansas Rules of Evidence and any other rule or law.

(2) The court may limit the size of the photograph, the length of time the photograph is displayed, and give a limiting instruction to the jury as to the weight the photograph should be afforded."



The Amendment was read _____
By: Representative Gazaway
BPG/BPG - 03-04-2021 13:10:41
BPG369

Chief Clerk