

INTERIM STUDY PROPOSAL 2019-025

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

A Bill

HOUSE BILL 1962

5
6 By: Representatives M. Hodges, G. Hodges, Love

7 Filed with: House Committee on Judiciary
8 pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

9
10 AN ACT TO REDUCE THE SENTENCE CLASSIFICATIONS FOR
11 CERTAIN OFFENSES FROM A FELONY TO A MISDEMEANOR; AND
12 FOR OTHER PURPOSES.

Subtitle

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15 TO REDUCE THE SENTENCE CLASSIFICATIONS
16 FOR CERTAIN OFFENSES FROM A FELONY TO A
17 MISDEMEANOR.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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23 SECTION 1. Arkansas Code § 5-27-502 is amended to read as follows:

24 5-27-502. Manufacturing or altering personal identification document
25 unlawful.

26 (a) It is unlawful for a person to:

27 (1) Manufacture or produce a fraudulent personal identification
28 document for the purpose of providing a person under twenty-one (21) years of
29 age identification that can be used for the purpose of purchasing an
30 alcoholic beverage or other substance or material restricted for adult
31 purchase or possession in accordance with existing law;

32 (2) Alter a personal identification document for the purpose of
33 providing a person under twenty-one (21) years of age false identification
34 that can be used for the purpose of purchasing an alcoholic beverage or other
35 substance or material restricted for adult purchase or possession in
36 accordance with existing law; or

1 (3) Sell or otherwise distribute a fraudulent personal
2 identification document described in this subsection to a person under
3 twenty-one (21) years of age.

4 (b)(1)(A) A person who violates this section is deemed guilty of a
5 Class C felony.

6 (B) However, if the person manufactures or produces his or
7 her own personal identification document, or alters his or her own personal
8 identification document, for his or her own use in obtaining alcohol or
9 accessing a venue in which alcohol is sold, a violation of this section is a
10 Class A misdemeanor.

11 (2) A subsequent violation of this section is a Class B felony.
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13 SECTION 2. Arkansas Code Title 5, Chapter 64, Subchapter 4, is amended
14 to add an additional section to read as follows:

15 5-64-437. Possession of MDMA.

16 (a) As used in this section, "MDMA" means the chemical compound 3,4-
17 Methylenedioxymethamphetamine, or otherwise known by the common or trade name
18 "ecstasy", "E", or "Molly".

19 (b) The possession of one gram (1g) or less of MDMA is a Class A
20 misdemeanor.

21 (c) The possession of more than one gram (1g) of MDMA is subject to
22 prosecution as otherwise provided for under this chapter.

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24 SECTION 3. Arkansas Code § 26-18-202 is amended to read as follows:

25 26-18-202. Failure to pay or file return.

26 ~~Any~~ A person required under any state tax law to pay over any tax or
27 file any return who ~~willfully~~ knowingly fails to pay over the tax or file a
28 return shall be guilty of a Class ~~D~~ A misdemeanor.

29
30 SECTION 4. Arkansas Code § 27-14-307 is amended to read as follows:

31 27-14-307. False evidences of title or registration.

32 It is a felony for ~~any~~ a person to commit any of the following acts:

33 (1) To alter, with fraudulent intent, any certificate of title,
34 registration certificate, registration plate, manufacturer's certificate of
35 origin, or permit issued by the Office of Motor Vehicle;

1 (2) To forge or counterfeit any such document or plate
2 purporting to have been issued by the office or by the manufacturer; or

3 (3) To alter or falsify, with intent to defraud or mislead, or
4 with intent to evade the registration laws, any assignment upon a certificate
5 of title or upon a manufacturer's certificate of origin;

6 ~~(4) To hold or use any such document or plate knowing it to have~~
7 ~~been so altered, forged, or falsified.~~

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10 Referred requested by the Arkansas House of Representatives

11 Prepared by: BPG/VJF

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