

AGENDA
House Committee on Judiciary
87th General Assembly
Regular Session, 2009

Tuesday, March 17, 2009
15 MINUTES UPON ADJOURNMENT OF HOUSE
Room 149, State Capitol
Little Rock, Arkansas

Rep. Steve Harrelson, Chair
Rep. Joan Cash, Vice Chair
Rep. Dawn Creekmore
Rep. Lindsley Smith
Rep. Tommy Lee Baker
Rep. David "Bubba" Powers

Rep. Johnnie Roebuck
Rep. Barry Hyde
Rep. Duncan Baird
Rep. Debra Hobbs
Rep. Andrea Lea
Rep. Butch Wilkins
Rep. Terry Rice

Rep. Darrin Williams
Rep. Steve Cole
Rep. Ann Clemmer
Rep. Davy Carter
Rep. Jim Nickels
Rep. Tiffany Rogers
Rep. Mary Slinkard

REGULAR AGENDA

Number	Sponsor	Subtitle
<u>HB1473</u>	D. Creekmore	TO PROVIDE FOR THE COLLECTION OF A DNA SAMPLE FOLLOWING AN ARREST OR A CRIMINAL CHARGE FOR CERTAIN OFFENSES AND TO ESTABLISH PROCEDURES FOR THE COLLECTION, MAINTENANCE, AND DISSEMINATION OF DNA SAMPLES.
<u>HB1640</u>	Hawkins	AN ACT REGARDING THE ISSUANCE OF IGNITION INTERLOCK RESTRICTED LICENSES.
<u>HB1637</u>	Blount	AN ACT REGARDING PREREQUISITES FOR A CONVICTED FELON TO REGAIN HIS OR HER RIGHT TO VOTE.
<u>HB1649</u>	Kidd	TO CREATE THE PRIVATE PROPERTY PROTECTION ACT TO ENHANCE THE PENALTIES FOR THEFT OF CERTAIN PROPERTY IN AN AREA DECLARED TO BE UNDER A STATE OF EMERGENCY BY THE GOVERNOR.
<u>HB1682</u>	Maloch	TO PROVIDE THAT THE DECEPTIVE TRADE PRACTICES CHAPTER OF THE ARKANSAS CODE DOES NOT APPLY TO ACTIONS THAT ARISE OUT OF AN UNAUTHORIZED PRACTICE OF LAW CLAIM.
<u>SB251</u>	Altes	TO PROVIDE THAT MOTOR VEHICLE ACCIDENT REPORTS SHALL NOT BE USED FOR COMMERCIAL PURPOSES FOR THIRTY (30) DAYS AFTER THE ACCIDENT.
<u>HB1701</u>	Hyde	TO REQUIRE PAROLEES FROM THE DEPARTMENT OF CORRECTION TO SERVE THEIR PAROLE LIVING IN THE COUNTY IN WHICH HE OR SHE WAS CONVICTED FOR THE CRIME FOR WHICH HE OR SHE IS NOW BEING PAROLED.
<u>HB1713</u>	D. Creekmore	TO INCREASE THE PENALTY CLASSIFICATION FOR INDECENT EXPOSURE FOR A PERSON IN A POSITION OF TRUST OR AUTHORITY OVER THE VICTIM.
<u>HB1715</u>	D. Creekmore	TO EXPAND THE LIST OF MANDATED REPORTERS OF SUSPECTED ABUSE OR NEGLECT.
<u>HB1745</u>	Maloch	AN ACT TO MAKE PRACTICING AS A COUNSELOR WITHOUT A LICENSE A CLASS D FELONY.
<u>HB1752</u>	Pierce	TO AMEND THE LAW REGARDING REPRIEVES AND NEW TRIALS FOR CONDEMNED FELONS.
<u>HB1799</u>	Harrelson	AN ACT REGARDING DWI IGNITION INTERLOCK DEVICES.
<u>HB1830</u>	B. Wilkins	AN ACT TO AMEND THE FLEEING STATUTE.
<u>HB1889</u>	L. Cowling	TO PROHIBIT MORE THAN THIRTY (30) DAYS' NOTICE TO RENEW A RESIDENTIAL LEASE AND TO REQUIRE NEW OR DIFFERENT TERMS UPON RENEWAL OF A RESIDENTIAL LEASE TO BE IN WRITING.

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<u>HB1890</u>	English	CONCERNING THE USE OF DEADLY PHYSICAL FORCE IN DEFENSE OF A PERSON TO BE KNOWN AS THE CASTLE DOCTRINE.
<u>HB1885</u>	Hyde	TO ENCOURAGE FAIR DEALING IN CONTRACTS BY REQUIRING HOLD HARMLESS LANGUAGE IN A CONTRACT TO BE CLEAR AND CONSPICUOUS.
<u>HB1874</u>	J. Roebuck	AN ACT TO INCREASE DEATH BENEFITS FOR LAW ENFORCEMENT OFFICERS KILLED IN THE LINE OF DUTY.
<u>HB1872</u>	Hopper	TO AUTHORIZE ACCEPTANCE OF PAYMENT BY CREDIT CARD FOR FINES, RESTITUTION, AND COSTS FOR CRIMINAL OFFENSES, TO PROVIDE FOR ADDITIONAL FUNDING FOR COUNTY JAILS, AND TO AUTHORIZE A LEVY TO DEFRAY THE COSTS.
<u>HB1894</u>	Blount	TO REQUIRE THE DEPARTMENT OF CORRECTION TO PROVIDE MANDATORY SKILLS TRAINING AND EDUCATIONAL OPPORTUNITIES AND TO MAKE AN INMATE'S RELEASE ON PAROLE CONDITIONED ON THE COMPLETION OF THESE PROGRAMS.
<u>HB1943</u>	B. Wilkins	TO INCREASE THE PENALTIES FOR AGGRAVATED ASSAULT AND MISDEMEANOR ASSAULT IF COMMITTED AGAINST CERTAIN PERSONS.
<u>SB260</u>	Broadway	TO AMEND VARIOUS SECTIONS OF THE ARKANSAS CODE CONCERNING CHILD SUPPORT ENFORCEMENT.
<u>HB1986</u>	J. Roebuck	AN ACT CONCERNING SUBPOENAS ISSUED BY STATE AGENCIES.
<u>HB2006</u>	Word	TO CREATE THE OFFENSE OF AGGRAVATED SHOPLIFTING.
<u>HB2018</u>	Hyde	CONCERNING THE MANAGEMENT OF LOCAL JAIL POPULATIONS.
<u>HB2030</u>	Dickinson	TO AMEND ARKANSAS CODE 5-14-110 CONCERNING THE OFFENSE OF SEXUAL INDECENCY WITH A CHILD.
<u>HB2082</u>	Reynolds	TO REQUIRE PERSONS CONVICTED OF DRIVING WHILE INTOXICATED TO ATTEND A VICTIM IMPACT PANEL.
<u>HB2048</u>	King	TO INCREASE THE SENTENCES FOR REPEAT DWI OFFENDERS AND TO PROVIDE FOR FORFEITURE OF A PERSON'S VEHICLE AFTER A SECOND OR SUBSEQUENT OFFENSE OR FOR DRIVING ON A SUSPENDED LICENSE DUE TO DRIVING WHILE INTOXICATED.
<u>HB2047</u>	King	TO PROVIDE FOR THE FORFEITURE OF A PERSON'S VEHICLE AFTER A SECOND OR SUBSEQUENT CONVICTION FOR DRIVING WHILE INTOXICATED OR FOR DRIVING A MOTOR VEHICLE ON A SUSPENDED LICENSE DUE TO DRIVING WHILE INTOXICATED.
<u>HB2044</u>	Glidewell	AN ACT TO AMEND ARKANSAS CODE 15-32-603 TO INCREASE THE PENALTY FOR THE OFFENSE OF TIMBER THEFT BY A TRUSTEE.
<u>HB2110</u>	D. Creekmore	TO PROVIDE INCREASED PROTECTION AGAINST THE UNAUTHORIZED DISCLOSURE OF A SOCIAL SECURITY NUMBER.
<u>HB2092</u>	Carter	CONCERNING A SENTENCE STEMMING FROM A VIOLATION OF PROBATION.
<u>HB2086</u>	B. Wilkins	TO CREATE THE CRIME OF USE OF A FALSE IDENTITY TO OBTAIN EMPLOYMENT.
<u>HB2160</u>	Allen	THE De AUNTA FARROW IMITATION FIRE ARMS ACT.
<u>HB2154</u>	George	TO AMEND ARKANSAS CODE 17-19-301 TO INCREASE THE MINIMUM COMPENSATION FOR GIVING BOND AND TO AUTHORIZE ADDITIONAL FEES TO FUND THE PROSECUTING ATTORNEY SUPPORT STAFF FUND.
<u>HB2149</u>	S. Malone	TO AMEND THE STATUTE REGARDING VICTIM RESTITUTION.
<u>HB2133</u>	Stewart	REGARDING RETIRED CERTIFIED LAW ENFORCEMENT OFFICERS AND CONCEALED HANDGUN ELIGIBILITY.
<u>HB2184</u>	M. Martin	AN ACT CONCERNING THE LAWFUL OPEN CARRY OF HANDGUNS.
<u>HB2211</u>	Perry	TO DISCOURAGE THE FILING OF FRIVOLOUS INSURANCE CLAIMS; TO PROMOTE INFORMED DECISIONS FOLLOWING A MOTOR VEHICLE ACCIDENT.
<u>HB2216</u>	Glidewell	AN ACT TO CREATE THE DEMOGRAPHIC PREFERENCE DISCLOSURE ACT.
<u>HB2245</u>	Maloch	AN ACT TO REQUIRE PAROLE REVIEW FOR ALL PERSONS SERVING LIFE WITHOUT PAROLE FOR CAPITAL MURDER OR A LIFE SENTENCE FOR A CLASS Y FELONY COMMITTED WHEN THE PERSON WAS UNDER EIGHTEEN YEARS OF AGE.
<u>HB2246</u>	Maloch	TO PROVIDE FOR THE DEFERMENT OF A SENTENCE FOR A PERSON WITH A COMMERCIAL DRIVERS LICENSE.
<u>HB2253</u>	Pennartz	TO AMEND THE PENALTY FOR TIMBER THEFT.
<u>HB2264</u>	D. Creekmore	TO AUTHORIZE AN ARREST WITHOUT A WARRANT IF AN INDIVIDUAL'S ABILITY TO PLACE A TELEPHONE CALL IN CERTAIN EMERGENCIES IS HINDERED OR PREVENTED.
<u>HB2266</u>	Lea	TO AMEND ARKANSAS LAW CONCERNING THE QUALIFICATIONS FOR CANDIDATES

		SEEKING THE OFFICE OF DISTRICT JUDGE.
<u>SB866</u>	Madison	TO CORRECT THE SPELLING OF HYDROMORPHONE HYDROCHLORIDE IN THE CONTROLLED SUBSTANCES ACT.
<u>SB468</u>	J. Key	TO PROHIBIT CERTAIN PERSONS FROM PURCHASING OR POSSESSING EMERGENCY LIGHTS OR SIRENS FOR A VEHICLE AND TO PROHIBIT THE INSTALLATION OF EMERGENCY LIGHTS OR SIRENS ON A VEHICLE THAT IS NOT A LAW ENFORCEMENT VEHICLE.
<u>HB2105</u>	J. Roebuck	CONCERNING DEATH BENEFITS FOR COVERED PUBLIC EMPLOYEES KILLED IN THE LINE OF DUTY.
<u>SB38</u>	Faris	AN ACT TO BE KNOWN AS "RACHEL'S BILL" FOR THE PURPOSE OF IMPROVING PERSONAL WATERCRAFT SAFETY.
<u>SB393</u>	Elliott	AN ACT TO AUTHORIZE CODE ENFORCEMENT OFFICERS TO MAIL CITATIONS.
<u>SB447</u>	D. Johnson	AN ACT CONCERNING SECOND OR SUBSEQUENT CONVICTIONS FOR POSSESSION OF A CONTROLLED SUBSTANCE.
<u>SB778</u>	J. Key	TO AMEND THE STATUTE OF IMPAIRING THE OPERATION OF A VITAL PUBLIC FACILITY.

DEFERRED BILLS

Number	Sponsor	Subtitle
<u>HB1015</u>	Abernathy	AN ACT CONCERNING REGISTRATION OF ARSONISTS.
<u>HB1027</u>	Cole	AN ACT INCREASING THE PENALTY RANGE FOR VOYEURISM FOR PERSONS OVER THE AGE OF EIGHTEEN.
<u>HB1093</u>	Sample	AN ACT CONCERNING ILLEGAL IMMIGRATION.
<u>HB1097</u>	Stewart	AN ACT CONCERNING PLACES WHERE A PERSON IS PROHIBITED FROM CARRYING A CONCEALED HANDGUN.
<u>HB1227</u>	Nix	AN ACT TO LOWER THE BLOOD-ALCOHOL LEVEL THRESHOLD FOR REPEAT DWI OFFENDERS IF A PERSON IS DRIVING WHILE INTOXICATED ON A LICENSE SUSPENDED BECAUSE OF A PRIOR DWI CONVICTION.
<u>HB1255</u>	Greenberg	AN ACT CONCERNING THE BURDEN OF PROOF REQUIRED TO CORROBORATE A DEFENDANT'S CONFESSION.
<u>HB1324</u>	Overbey	AN ACT TO AMEND ARKANSAS CODE 16-17-707 TO REMOVE LANGUAGE LIMITING DISBURSEMENT OF FINES FROM DISTRICT COURTS.
<u>HB1401</u>	Harrelson	AN ACT CONCERNING THE CAMPAIGN PRACTICE OF JUDGES; AND TO REPEAL 7-6-103.
<u>HB2037</u>	Wells	AN ACT TO AMEND THE LAW CONCERNING BAIL BONDSMEN.
<u>HB2053</u>	Dismang	TO AMEND EMINENT DOMAIN LAW CONCERNING THE COMPENSATION PAID BY A CONDEMNING ENTITY.
<u>HB2099</u>	Clemmer	AN ACT TO IMPROVE ADOPTION PROCEDURES IN ARKANSAS.
<u>HB2103</u>	L. Smith	THE ARKANSAS FALSE CLAIMS ACT; TO ENCOURAGE CITIZENS TO FILE LAWSUITS SEEKING RECOVERY OF MONEYS FRAUDULENTLY RECEIVED FROM THE STATE; TO INCREASE THE STATE S PORTION OF FUNDS RECOVERED IN MEDICAID FRAUD LAWSUITS.
<u>HB2121</u>	Harrelson	TO PROTECT THE RIGHTS OF ARKANSANS TO OBTAIN JUSTICE IN COURTS OF LAW.
<u>HB2128</u>	Garner	TO ENHANCE THE ABILITY OF LAW ENFORCEMENT OFFICERS TO SURVEIL, DETAIN, AND SEARCH PAROLEES.
<u>HB2141</u>	Harrelson	TO AMEND AND CLARIFY VARIOUS PROVISIONS OF THE ARKANSAS RESIDENTIAL LANDLORD TENANT ACT OF 2007.
<u>HB2152</u>	Hoyt	TO CREATE A PILOT PROGRAM TO EXPLORE ALL POSSIBLE COST-SAVING MEASURES CONCERNING THE INCARCERATION OF PRISONERS IN THE DEPARTMENT OF CORRECTIONS.
<u>HB2155</u>	George	TO ADDRESS THE PRACTICE OF NO CREDIT BAIL BOND FINANCING IN THE STATE OF ARKANSAS.
<u>HB2180</u>	Harrelson	TO AMEND THE RECORDING FEES CHARGED BY COUNTY RECORDERS FOR CERTAIN WRITTEN INSTRUMENTS.
<u>HB2181</u>	Harrelson	TO DEFINE THE ROLE OF AN ATTORNEY AD LITEM.
<u>HB2182</u>	Harrelson	TO AMEND THE SCOPE OF REPRESENTATION BY ATTORNEYS EMPLOYED BY THE STATE OF ARKANSAS TO ASSIST IN THE ESTABLISHMENT AND ENFORCEMENT OF

<u>HB2221</u>	Carter	CHILD SUPPORT ORDERS. TO INCREASE THE COLLECTION FEES ALLOWED TO COLLECT A WORTHLESS CHECK AND TO REGULATE HOT CHECKS.
<u>HB2223</u>	Overbey	CONCERNING THE OFFENSE OF UNLAWFUL DOG ATTACK.
<u>HB2265</u>	Harrelson	TO REPEAL ACT 218 OF 2009 WHICH PROVIDES CERTAIN APPEALS FROM THE ARKANSAS PUBLIC SERVICE COMMISSION TO BE MADE TO THE COURT OF APPEALS.
<u>HB2272</u>	Maloch	TO AMEND CERTAIN PROVISIONS OF THE CIVIL JUSTICE REFORM ACT OF 2003.
<u>HR1032</u>	Woods	A RESOLUTION CONCERNING THE FEDERAL BAN ON CERTAIN TYPES OF WEAPONS.