

1 **State of Arkansas**

Call Item No.13

2 **79th General Assembly**

A Bill

3 **Second Extraordinary Session, 1994**

HOUSE BILL 1023

4 **By: Representatives McGee, Wagner, Goodwin, and Davis**

5

6

For An Act To Be Entitled

7 "AN ACT TO AMEND ARKANSAS CODE 12-12-207 TO AUTHORIZE THE
8 ACIC TO COLLECT AND MAINTAIN CERTAIN JUVENILE ARREST
9 RECORDS; TO AMEND ARKANSAS CODE 12-12-1009 TO AUTHORIZE
10 DISSEMINATION OF ADULT CONVICTION INFORMATION; TO DECLARE
11 AN EMERGENCY; AND FOR OTHER PURPOSES."

12

13

Subtitle

14

15

16

17

18

19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

21

22 SECTION 1. Arkansas Code 12-12-207(d) is amended to read as follows:

23 "(d) In addition, the center shall collect and maintain in accordance
24 with the procedures established by this subchapter, the following information:

25 (1) Records of missing persons;

26 (2) Felony arrest information;

27 (3) Misdemeanor arrest information to the extent authorized in
28 this subchapter; and

29 (4) Juvenile arrest information for those allegations and
30 adjudications of delinquency for which the Arkansas Juvenile Code authorizes
31 fingerprints to be taken and maintained."

32

33 SECTION 2. Arkansas Code 12-12-1007 is amended by inserting an
34 additional subsection at the end to read as follows:

35 "(e) (1) As used in this section, "Arrest Tracking Number" means a

1 unique number assigned to an arrestee at the time of each arrest which is used
2 to link that arrest to the final disposition of that charge.

3 (2) It shall be the duty of law enforcement officials,
4 prosecuting attorneys, court clerks and judges to report the arrest tracking
5 number of each defendant in accordance with procedures established by the
6 Arkansas Crime Information Center.

7 (3) The arrest tracking number shall be filed with the court
8 clerk at the time an indictment, information or charge is filed. In cases
9 where the defendant has not been arrested at the time of an indictment,
10 information or charge, the arrest tracking number shall be filed with the
11 court clerk immediately after there is an arrest.

12 (4) The arrest tracking number shall be in the court case file
13 before a trial commences or a judgment is entered."

14

15 SECTION 3. Arkansas Code 12-12-1009(a) is amended to read as follows:

16 "(a) Conviction information shall be made available for the following
17 noncriminal justice purposes:

18 (1) To any local, state, or federal governmental agency that
19 requests the information for the enforcement of a local, state, or federal
20 law;

21 (2) To any nongovernmental entity authorized either by the record
22 subject in writing or by state or federal law to receive such information; and

23 (3) To any federal agency or central repository in another state
24 requesting the information for purposes authorized by law."

25

26 SECTION 4. All provisions of this act of a general and permanent nature
27 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
28 Revision Commission shall incorporate the same in the Code.

29

30 SECTION 5. If any provision of this act or the application thereof to
31 any person or circumstance is held invalid, such invalidity shall not affect
32 other provisions or applications of the act which can be given effect without
33 the invalid provision or application, and to this end the provisions of this
34 act are declared to be severable.

35

1 SECTION 6. All laws and parts of laws in conflict with this act are
2 hereby repealed.

3

4 SECTION 7. EMERGENCY. It is hereby found and determined by the General
5 Assembly that serious criminal offenses committed by juveniles have increased
6 to an alarming level and that it will help to deal with these serious juvenile
7 crimes by authorizing the Arkansas Crime Information Center to accumulate
8 juvenile arrest information for those allegations and adjudications of
9 dependency for which the Arkansas Juvenile Code authorizes fingerprints to be
10 taken and maintained, and it will assist in juvenile crime prevention to allow
11 the dissemination of conviction information to nongovernmental entities
12 authorized by federal law; that this act so provides; and this act should go
13 into effect immediately in order to provide additional tools for dealing with
14 juvenile crime as soon as possible. Therefore, an emergency is hereby
15 declared to exist, and this act being immediately necessary for the
16 preservation of the public peace, health, and safety shall be in full force
17 and effect from and after its passage and approval.

18 */s/Rep. McGee, et al*

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

- 1
- 2
- 3