

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995
4 By: Representative Pollan

A Bill

HOUSE BILL 1560

For An Act To Be Entitled

"AN ACT TO CREATE A DNA (DEOXYRIBONUCLEIC ACID) DATA BASE
TO BE USED BY THE STATE CRIME LABORATORY TO ASSIST THE
CRIMINAL JUSTICE SYSTEM IN SOLVING CERTAIN CRIMES
COMMITTED AGAINST PERSONS; AND FOR OTHER PURPOSES."

Subtitle

"CREATE A DNA (DEOXYRIBONUCLEIC ACID)
DATA BASE TO BE USED BY THE STATE CRIME
LABORATORY TO ASSIST THE CRIMINAL
JUSTICE SYSTEM IN SOLVING CERTAIN CRIMES
COMMITTED AGAINST PERSONS"

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

SECTION 1. (a) For purposes of this act the term "sex offense" shall have the meaning prescribed by Arkansas Code 12-12-902.

(b) After an entry of a plea of guilty of, or nolo contendere to, or on a return of a verdict of guilty of committing a sex offense, including attempts, the courts shall order the defendant to provide a sample of blood for the purpose of determining secretor status, blood type and for DNA (Deoxyribonucleic Acid) analysis.

SECTION 2. Every person incarcerated in the Department of Correction on the effective date of this act for a sex offense, including attempts, shall provide a sample of blood for the purpose of determining secretor status, blood type and for DNA (Deoxyribonucleic Acid) analysis. Any inmate who refuses to provide the blood sample required by this act will receive no further sentence reduction from meritorious good time until such time as a

1 *sample is provided and the Department shall notify the Post Prison Transfer*
2 *Board regarding the refusal.*

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4 SECTION 3. The results of such tests and analysis shall be recorded,
5 preserved and disseminated in a manner established under Arkansas Code 12-12-
6 312.

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

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12 SECTION 5. If any provision of this act or the application thereof to
13 any person or circumstance is held invalid, such invalidity shall not affect
14 other provisions or applications of the act which can be given effect without
15 the invalid provision or application, and to this end the provisions of this
16 act are declared to be severable.

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18 SECTION 65. All laws and parts of laws in conflict with this act are
19 hereby repealed.

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/s/Rep. Pollan

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