

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995

A Bill

HOUSE BILL 1758

4 By: Representatives Wilkinson, G. Hendrix, Cash, Calhoun, McKissack, Angel,
5 Newman, J. Miller, M. Wilson, T. Smith, Maddox, and Capps

For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 5-71-213 TO PROHIBIT
10 LOITERING ON THE PREMISES OF FEDERALLY INSURED FINANCIAL
11 INSTITUTIONS OR ON OFF-SITE ATM FACILITIES; AND FOR OTHER
12 PURPOSES."

Subtitle

15 "AN ACT TO AMEND ARKANSAS CODE 5-71-213
16 TO PROHIBIT LOITERING ON THE PREMISES OF
17 FEDERALLY INSURED FINANCIAL INSTITUTIONS
18 OR ON OFF-SITE ATM FACILITIES."

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

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22 SECTION 1. Arkansas Code 5-71-213(a) is amended to read as follows:

23 "(a) A person commits the offense of loitering if he lingers or
24 remains:

25 (1) Or prowls in a public place or the premises of another
26 without apparent reason and under circumstances that warrant alarm or concern
27 for the safety of persons or property in the vicinity and, upon inquiry by a
28 law enforcement officer, refuses to identify himself and give a reasonably
29 credible account of his presence and purpose; or

30 (2) Prowls in or near a school building, not having any reason
31 or relationship involving custody of or responsibility for a student and not
32 having written permission from anyone authorized to grant permission; or

33 (3) In a public place or on the premises of another for the
34 purpose of begging; or

35 (4) In a public place for the purpose of unlawful gambling; or

1 (5) In a public place for the purpose of engaging or soliciting
2 another person to engage in prostitution or deviate sexual activity; or

3 (6) In a public place for the purpose of unlawfully buying,
4 distributing, or using a controlled substance;

5 (7) On or about the premises of another for the purpose of
6 spying upon or invading the privacy of another; or

7 (8) On or about the premises of any off-site customer-bank
8 communication terminal *without any legitimate purpose.*"

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10 SECTION 2. All provisions of this act of a general and permanent
11 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
12 Code Revision Commission shall incorporate the same in the Code.

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14 SECTION 3. If any provision of this act or the application thereof to
15 any person or circumstance is held invalid, such invalidity shall not affect
16 other provisions or applications of the act which can be given effect without
17 the invalid provision or application, and to this end the provisions of this
18 act are declared to be severable.

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20 SECTION 4. All laws and parts of laws in conflict with this act are
21 hereby repealed.

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/s/Rep. Wilkinson, et al

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