

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: H3/18/05

A Bill

HOUSE BILL 2611

5 By: Representatives Walters, Anderson, Berry, Borhauer, Childers, Harris, T. Hutchinson, Jackson,
6 Kenney, Lamoureux, M. Martin, Matayo, Medley, Pritchard, Pyle, *Edwards*
7 By: *Senators Altes, Trusty, Wilkinson*
8
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For An Act To Be Entitled

11 AN ACT CONCERNING THE REPORTING OF INFORMATION
12 PERTAINING TO *CONTROLLED SUBSTANCE* LABS SEIZURES;
13 AND FOR OTHER PUPOSES.
14

Subtitle

15 AN ACT CONCERNING THE REPORTING OF
16 INFORMATION PERTAINING TO *CONTROLLED*
17 *SUBSTANCE* LABS SEIZURES.
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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 Title 12, Chapter 12, Subchapter 1 is amended
24 to add an additional section to read as follows:

25 12-12-105. *Controlled substance lab seizure reports.*

26 (a) *Each state and local law enforcement agency shall file a report*
27 *with the Arkansas Drug Director within ten (10) days of the agency's seizure*
28 *of:*

29 *(1) Drug paraphernalia or drug precursors that could be utilized*
30 *in the manufacture of a controlled substance; or*

31 *(2) Any laboratory reasonably believed to:*

32 *(A) Have been utilized in the illegal manufacture of a*
33 *controlled substance;*

34 *(B) Be currently utilized in the illegal manufacture of a*
35 *controlled substance; or*

36 *(C) Be intended for utilization in the illegal manufacture*



1 of a controlled substance.

2 (b)(1) The report described in subsection (a) of this section shall
3 contain information deemed necessary by the Arkansas Drug Director to
4 accurately calculate the number of controlled substance laboratories seized
5 in the State of Arkansas.

6 (2) The report shall be made on a form produced and distributed
7 by the Arkansas Drug Director.

8 (3) The form may be:

9 (A) The form provided and required by the United States
10 Drug Enforcement Administration or the El Paso Intelligence Center of the
11 United States Drug Enforcement Administration; or

12 (B) Designed by the Arkansas Drug Director to contain
13 substantially the same information as the forms described in subdivision
14 (b)(3)(A) of this section.

15 (c)(1) The Executive Director of the State Crime Laboratory shall
16 catalogue the number of controlled substance laboratories reported to the
17 State Crime Laboratory through evidence submission.

18 (2) For each reported controlled substance laboratory, the
19 executive director shall record the:

20 (A) Judicial district where the laboratory was located;

21 (B) Date of seizure of the laboratory; and

22 (C) Name of the seizing law enforcement agency.

23 (d)(1) On March 31, June 30, September 30, and December 31 of each
24 year after the effective date of this section, the Arkansas Drug Director
25 shall compare the number of reports made to him or her under subsection (a)
26 of this section with the number of reports made to the State Crime Laboratory
27 under subsection (c) of this section.

28 (2) Any discrepancy in the number of reports described in
29 subdivision (d)(1) of this section shall be recorded by the Arkansas Drug
30 Director.

31 (3) The Arkansas Drug Director shall request completion of a
32 reporting form by any law enforcement agency in the state that has failed to
33 comply with the requirements of subsection (a) of this section as evidenced
34 by the comparison made under subdivision (d)(1) of this section.

35 (e) The failure of any law enforcement agency to comply with the
36 requirements of this section may be considered by a state board or agency as

1 a factor for the withholding of awards or grant moneys or other funds that
2 relate to controlled substance enforcement.

3 /s/ Walters, et al

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