

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

# A Bill

SENATE BILL 444

5 By: Senator Womack  
6 By: Representative Key  
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## For An Act To Be Entitled

10 AN ACT TO PROVIDE THAT A SELLER OF ALCOHOLIC  
11 BEVERAGES OR THE SELLER'S EMPLOYEE MAY DETAIN A  
12 PERSON UNDER TWENTY-ONE (21) YEARS OF AGE FOR  
13 ATTEMPTING TO PURCHASE ALCOHOL WITH FALSE  
14 IDENTIFICATION; TO AUTHORIZE A WARRANTLESS ARREST  
15 OF A PERSON UNDER TWENTY-ONE (21) YEARS OF AGE  
16 FOR ATTEMPTING TO PURCHASE ALCOHOL WITH FALSE  
17 IDENTIFICATION; AND FOR OTHER PURPOSES.  
18

## Subtitle

19 AN ACT TO PROVIDE FOR DETENTION OF A  
20 PERSON UNDER TWENTY-ONE (21) YEARS FOR  
21 ATTEMPTING TO PURCHASE ALCOHOL WITH  
22 FALSE IDENTIFICATION AND TO AUTHORIZE AN  
23 ARREST FOR AN ATTEMPTED PURCHASE OF  
24 ALCOHOL WITH FALSE IDENTIFICATION.  
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28 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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30 SECTION 1. Arkansas Code § 5-27-503 is amended to read as follows:

31 5-27-503. Possession of fraudulent or altered personal identification  
32 document unlawful.

33 (a) It shall be unlawful for:

34 (1) A person to possess a fraudulent or altered personal  
35 identification document for the purpose of providing a person under age  
36 twenty-one (21) identification which can be used for the purpose of



1 purchasing alcoholic beverages or other substances or materials restricted  
2 for adult purchase or possession in accordance with existing law;

3 (2) A person under age twenty-one (21) to possess a fraudulent  
4 or altered personal identification document which can be used for the purpose  
5 of purchasing alcoholic beverages or other substances or materials restricted  
6 for adult purchase or possession in accordance with existing law; or

7 (3)(A)(i) A person under age twenty-one (21) to attempt to  
8 purchase alcoholic beverages or use a fraudulent or altered personal  
9 identification document for the purpose of purchasing alcoholic beverages  
10 illegally or other materials or substances restricted to adult purchase or  
11 possession under existing law.

12 (ii) If a seller of alcoholic beverages or the  
13 seller's employee has reasonable cause to believe that a person has violated  
14 the provisions of subdivision (a)(3)(A)(i) of this section, the person may be  
15 detained in a reasonable manner and for a reasonable length of time by the  
16 seller of alcoholic beverages or the seller's employee in order that the  
17 seller of alcoholic beverages or the seller's employee may call for a  
18 certified law enforcement officer to conduct an investigation. The detention  
19 by a seller of alcoholic beverages or the seller's employee shall not render  
20 the seller of alcoholic beverages or the seller's employee criminally or  
21 civilly liable for false arrest, false imprisonment, or unlawful detention.

22 (B) After conducting an investigation under subdivision  
23 (a)(3)(A)(ii) of this section, and within twenty-four (24) hours of the call  
24 from a seller of alcoholic beverages or the seller's employee for the  
25 investigation, a certified law enforcement officer may arrest a person  
26 without a warrant upon probable cause for believing that the person has  
27 violated the provisions of subdivision (a)(3)(A)(i) of this section.

28 (b)(1) A person who violates this section shall be deemed guilty of a  
29 Class B misdemeanor.

30 (2) A second or subsequent violation of this section shall be a  
31 Class A misdemeanor.

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