

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 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: H3/26/07

A Bill

HOUSE BILL 2779

5 By: Representative Woods
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For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS LAW ON VARIOUS ISSUES
10 CONCERNING ILLEGAL IMMIGRATION; CREATING THE
11 ARKANSAS TAXPAYER AND CITIZEN PROTECTION ACT OF
12 2007; AND FOR OTHER PURPOSES.
13

Subtitle

14 THE ARKANSAS TAXPAYER AND CITIZEN
15 PROTECTION ACT OF 2007.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. This act shall be known and may be cited as the "Arkansas
22 Taxpayer and Citizen Protection Act of 2007."
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24 SECTION 2. *Arkansas Code Title 5, Chapter 60, Subchapter 1 is amended*
25 *to add an additional section to read as follows:*

26 5-60-126. Transporting or concealing persons illegally in the United
27 States.

28 (a) It is unlawful for a person to:

29 (1) Transport, move, or attempt to transport within the United
30 States another person knowing or in reckless disregard of the fact that the
31 other person has come to, entered, or remained in the United States in
32 violation of law in furtherance of the illegal presence of the other person
33 in the United States; or

34 (2) Conceal, harbor, or shelter from detection another person in
35 any place, including without limitation any building or means of
36 transportation, knowing or in reckless disregard of the fact that the other



1 person has come to, entered, or remained in the United States in violation of
2 law.

3 (b) Upon conviction, any person violating subsection (a) of this
4 section, upon conviction, is guilty of a Class D felony.

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6 SECTION 3. Arkansas Code Title 12, Chapter 1, Subchapter 1 is amended
7 to add an additional subchapter to read as follows:

8 12-1-101. Review of citizenship status of incarcerated person.

9 (a) When a person is incarcerated in this state for any period, a
10 reasonable effort shall be made by the law enforcement agency incarcerating
11 the person to determine the citizenship status of the person.

12 (b)(1) If the person is a foreign national, the law enforcement agency
13 shall make a reasonable effort to verify that the person has been lawfully
14 admitted into the United States and, if the person has been lawfully
15 admitted, then the law enforcement agency shall determine if that the
16 person's lawful status has not expired.

17 (2) If verification of lawful status cannot be made from
18 documents in the person's possession, verification shall be made within
19 forty-eight (48) hours through a query to the Immigration and Customs
20 Enforcement's Law Enforcement Support Center of the United States Department
21 of Homeland Security or other office or agency designated for that purpose by
22 the United States Department of Homeland Security.

23 (c) For the purpose of determining the grant of or issuance of bond, a
24 person whose citizenship status has been verified under subsection (b) of
25 this section to be a foreign national who has not been lawfully admitted to
26 the United States is deemed to be a flight risk.

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28 /s/ Woods
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