

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015

A Bill

HOUSE BILL 1208

4
5 By: Representative Gonzales

For An Act To Be Entitled

8 AN ACT CONCERNING A STATEWIDE ACCOUNTING OF ALL
9 UNSUBMITTED RAPE KITS; AND FOR OTHER PURPOSES.

Subtitle

11 CONCERNING A STATEWIDE ACCOUNTING OF ALL
12 UNSUBMITTED RAPE KITS.

13
14
15
16
17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

18
19 SECTION 1. DO NOT CODIFY. Temporary legislation.

20 (a) As used in this section:

21 (1) "Forensic medical examination" means an examination provided
22 to the victim of a sexually oriented criminal offense by a healthcare
23 provider for the purpose of gathering and preserving evidence of a sexual
24 assault for use in a court of law;

25 (2) "Law enforcement agency" means any police force or
26 organization whose primary responsibility as established by statute or
27 ordinance is the enforcement of the criminal laws, traffic laws, or highway
28 laws of this state;

29 (3) "Sexual assault collection kit" means a human biological
30 specimen or specimens collected by a healthcare provider during a forensic
31 medical examination from the victim of a sexually oriented criminal offense;
32 and

33 (4) "Untested sexual assault collection kit" means a sexual
34 assault collection kit that has not been submitted to the State Crime
35 Laboratory or a similar qualified laboratory for either a serology or
36 deoxyribonucleic acid (DNA) test.



1 (b) By December 1, 2015, a law enforcement agency charged with the
2 maintenance, storage, and preservation of sexual assault collection kits
3 shall conduct an inventory of all sexual assault collection kits being stored
4 by the law enforcement agency.

5 (c) By January 1, 2016, each law enforcement agency charged with the
6 maintenance, storage, and preservation of sexual assault collection kits
7 shall compile in writing a report containing the number of untested sexual
8 assault collection kits in the possession of the law enforcement agency and
9 the date the untested sexual assault collection kit was collected and
10 transmit the report to the State Crime Laboratory.

11 (d) By February 1, 2016, the State Crime Laboratory shall prepare and
12 transmit to the President Pro Tempore of the Senate and the Speaker of the
13 House of Representatives a report containing the number of untested sexual
14 assault collection kits being stored by each county and by each law
15 enforcement agency, the date the untested sexual assault collection kit was
16 collected, and a plan for addressing the backlog of untested sexual assault
17 collection kits.

18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36