

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4

# A Bill

HOUSE BILL 1294

5 By: Representative Della Rosa  
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## For An Act To Be Entitled

8 AN ACT PERMITTING PROSECUTORIAL DISCRETION IN THE  
9 RESOLUTION OF DRIVING OR BOATING WHILE INTOXICATED  
10 CASES; AND FOR OTHER PURPOSES.  
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## Subtitle

12 PERMITTING PROSECUTORIAL DISCRETION IN  
13 THE RESOLUTION OF DRIVING OR BOATING  
14 WHILE INTOXICATED CASES.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code § 5-65-107 is amended to read as follows:

22 5-65-107. ~~Persons arrested to be tried on charges—No charges reduced~~  
23 ~~— Filing citations.~~

24 ~~(a) A person arrested for violating § 5-65-103 shall be tried on the~~  
25 ~~charge of violating § 5-65-103 or plead to the charge of violating § 5-65-~~  
26 ~~103, and the charge of violating § 5-65-103 shall not be reduced or~~  
27 ~~dismissed.~~

28 ~~(b) Furthermore, when~~ When a law enforcement officer issues a citation  
29 for violating § 5-65-103, the citation shall be filed with the court as soon  
30 as possible.  
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