

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

As Engrossed: H2/5/19

A Bill

HOUSE BILL 1294

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

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

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13 *RESTORING* PROSECUTORIAL DISCRETION IN THE
14 RESOLUTION OF DRIVING OR BOATING WHILE
15 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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32 /s/Della Rosa
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