

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

As Engrossed: H3/4/19

# A Bill

HOUSE BILL 1567

5 By: Representatives Lundstrum, Boyd, Burch, Cavanaugh, Coleman, Crawford, M. Gray, Ladyman,  
6 McCollum, Petty, Richmond  
7 By: Senators Bond, J. Cooper, Hester, G. Leding, *Irvin*  
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## For An Act To Be Entitled

10 AN ACT CONCERNING INVESTIGATIONS INTO SEXUAL ASSAULT;  
11 CONCERNING UNTESTED SEXUAL ASSAULT COLLECTION KITS;  
12 AND FOR OTHER PURPOSES.  
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### Subtitle

15 CONCERNING INVESTIGATIONS INTO SEXUAL  
16 ASSAULT; AND CONCERNING UNTESTED SEXUAL  
17 ASSAULT COLLECTION KITS.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code Title 12, Chapter 12, Subchapter 4, is amended to  
24 add an additional section to read as follows:

25 12-12-406. Sexual assault collection kits – Submission for testing.

26 (a) As used in this section:

27 (1) “Law enforcement agency” means a police force or  
28 organization whose primary responsibility as established by statute or  
29 ordinance is the enforcement of the criminal laws, traffic laws, or highway  
30 laws of this state;

31 (2) “Medical-legal examination” means health care delivered to a  
32 possible victim of a sex crime, with an emphasis on the gathering and  
33 preserving of evidence for the purpose of prosecution;

34 (3) “Sexual assault collection kit” means a human biological  
35 specimen or specimens collected during a medical-legal examination from the  
36 alleged victim of a sex crime;



1           (4) "Sex crime" means an offense described in § 5-14-101 et seq.  
2 or § 5-26-202; and

3           (5) "Untested sexual assault collection kit" means a sexual  
4 assault collection kit that has been submitted to the State Crime Laboratory  
5 for either a serology or DNA test but that has not yet been tested.

6           (b) A law enforcement agency shall not retain possession of a sexual  
7 assault collection kit for more than ten (10) days before submitting the  
8 sexual assault collection kit to the State Crime Laboratory for testing.

9           (c) The laboratory shall complete the testing or analysis of an  
10 untested sexual assault collection kit submitted under this section within  
11 forty-five (45) days after the date of receipt of the untested sexual assault  
12 collection kit.

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