

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

As Engrossed: H3/16/21

A Bill

HOUSE BILL 1696

5 By: Representative Crawford
6

For An Act To Be Entitled

8 AN ACT CONCERNING THE TAKING OF FINGERPRINTS, A DNA
9 SAMPLE, AND PHOTOGRAPH FOR A PERSON ARRESTED FOR A
10 CLASS A MISDEMEANOR; AND FOR OTHER PURPOSES.
11

Subtitle

12 CONCERNING THE TAKING OF FINGERPRINTS, A
13 DNA SAMPLE, AND PHOTOGRAPH FOR A PERSON
14 ARRESTED FOR A CLASS A MISDEMEANOR.
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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 § 12-12-1006(a) and (b), concerning the
22 taking of fingerprints, a DNA sample, and a photograph of an arrested person,
23 are amended to read as follows:

24 (a)(1)(A)(i) Immediately following an arrest for ~~an offense~~ a Class A
25 misdemeanor, a law enforcement official ~~at the receiving criminal detention~~
26 ~~facility shall~~ may take, or cause to be taken, the fingerprints and a
27 photograph of the arrested person ~~if the offense is a felony or a Class A~~
28 ~~misdemeanor~~.

29 (ii) Immediately following an arrest for a felony
30 offense, a law enforcement official at the receiving criminal detention
31 facility shall take, or cause to be taken, the fingerprints and a photograph
32 of the arrested person.

33 (B) A law enforcement official ~~at the receiving criminal~~
34 ~~detention facility~~ shall not take fingerprints of the arrested person if:

- 35 (i) The arrest was for a probation violation; and
- 36 (ii) The arrested person's fingerprints are already



1 possessed by the Identification Bureau of the Department of Arkansas State
2 Police.

3 (2) In addition to the requirements of subdivision (a)(1) of
4 this section, a law enforcement official at the receiving criminal detention
5 facility shall take, or cause to be taken, a DNA sample of a person arrested
6 for any felony offense.

7 (b)(1) When the first appearance of a defendant in court is caused by
8 a citation or summons for ~~an offense~~ a Class A misdemeanor, a law enforcement
9 official ~~at the receiving criminal detention facility~~ shall take, or cause to
10 be taken, the fingerprints and a photograph of the arrested person ~~when the~~
11 ~~offense is a felony or a Class A misdemeanor.~~

12 (2)(A) When the first appearance of a defendant in court is
13 caused by a summons for a felony offense, a law enforcement official at the
14 receiving criminal detention facility shall take, or cause to be taken, the
15 fingerprints and a photograph of the arrested person.

16 ~~(2)(B)~~ In addition to the requirements of subdivision
17 ~~(b)(1)(b)(2)(A)~~ of this section, if the first appearance of a defendant in
18 court is caused by a ~~citation or~~ summons for a felony offense ~~enumerated in~~
19 ~~subdivision (a)(2) of this section~~, the court immediately shall order and a
20 law enforcement officer shall take or cause to be taken a DNA sample of the
21 arrested person.

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/s/Crawford

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