

State of Arkansas
89th General Assembly
Regular Session, 2013

A Bill

HOUSE BILL 1708

By: Representative Hickerson

By: Senator Hickey

For An Act To Be Entitled

AN ACT CONCERNING THE CRIMINAL OFFENSE OF CRIMINAL
POSSESSION OF BODY ARMOR; AND FOR OTHER PURPOSES.

Subtitle

CONCERNING THE CRIMINAL OFFENSE OF
CRIMINAL POSSESSION OF BODY ARMOR.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 5-79-101 is amended to read as follows:

5-79-101. Criminal possession of body armor.

(a) ~~No~~ A person may possess ~~commits criminal possession of~~ body armor
if ~~that person~~ the person knowingly possesses body armor and he or she:

(1) has ~~has~~ been found guilty of or has pleaded guilty or nolo
contendere to any of the following offenses:

~~(1)(A)~~ (A) Capital murder, § 5-10-101;

~~(2)(B)~~ (B) Murder in the first degree, § 5-10-102;

~~(3)(C)~~ (C) Murder in the second degree, § 5-10-103;

~~(4)(D)~~ (D) Manslaughter, § 5-10-104;

~~(5)(E)~~ (E) Aggravated robbery, § 5-12-103;

~~(6)(F)~~ (F) Battery in the first degree, § 5-13-201; ~~or~~

~~(7)(G)~~ (G) Aggravated assault, § 5-13-204+; or

(H) A felony violation of the Uniform Controlled
Substances Act, § 5-64-401 et seq.; or

(2) Is committing or attempts to commit:

(A) A felony involving violence as defined in § 5-4-



501(d)(2);

(B) Capital murder, § 5-10-101, manslaughter, § 5-10-104, or negligent homicide, § 5-10-105;

(C) False imprisonment in the first degree, § 5-11-103, false imprisonment in the second degree, § 5-11-104, vehicular piracy, § 5-11-105, or permanent detention or restraint, § 5-11-106;

(D) Robbery, § 5-12-102;

(E) Battery in the second degree, § 5-13-202; or

(F) Trafficking of persons, § 5-18-103

(b) As used in this section, "body armor" means any material designed to be worn on the body and to provide bullet penetration resistance.

(c) ~~A violation of this section constitutes~~ Criminal possession of body armor is a Class A ~~misdemeanor~~ D felony.

APPROVED: 03/28/2013