

Stricken language would be deleted from and underlined language would be added to present law.  
Act 1017 of the Regular Session

State of Arkansas  
92nd General Assembly  
Regular Session, 2019

As Engrossed: S4/5/19  
**A Bill**

HOUSE BILL 1633

By: Representatives Tosh, A. Collins

By: Senator Bond

**For An Act To Be Entitled**

AN ACT TO AMEND THE LAW REGARDING WITNESS  
INTIMIDATION, RETALIATION, TAMPERING WITH EVIDENCE,  
JURY TAMPERING, AND BRIBERY; AND FOR OTHER PURPOSES.

**Subtitle**

TO AMEND THE LAW REGARDING WITNESS  
INTIMIDATION, RETALIATION, TAMPERING WITH  
EVIDENCE, JURY TAMPERING, AND BRIBERY.

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

SECTION 1. Arkansas Code § 5-53-108(b), concerning witness bribery, is amended to read as follows:

(b) Witness bribery is a Class ~~C~~ B felony.

SECTION 2. Arkansas Code § 5-53-109(b), concerning intimidating a witness, is amended to read as follows:

(b) Intimidating a witness is a Class ~~C~~ B felony.

*SECTION 3. Arkansas Code § 5-53-110 is amended to read as follows:  
5-53-110. Tampering.*

*(a) A person commits the offense of tampering if, believing that an official proceeding or investigation is pending or about to be instituted, he or she induces or attempts to induce another person to:*

- (1) Testify or inform falsely;*
- (2) Withhold any unprivileged testimony, information, document,*



or thing regardless of the admissibility under the rules of evidence of the testimony, information, document, or thing and notwithstanding the relevance or probative value of the testimony, information, document, or thing to an investigation;

(3) Elude legal process summoning that person to testify or supply evidence, regardless of whether the legal process was lawfully issued; or

(4) Absent himself or herself from any proceeding or investigation to which that person has been summoned.

(b)(1) Tampering under subdivision (a)(1) of this section is a Class D felony.

(2) Otherwise, Tampering tampering is a Class A misdemeanor.

SECTION 4. Arkansas Code § 5-53-112(b), concerning retaliation against a witness, informant, or juror, is amended to read as follows:

(b) Retaliation against a witness, informant, or juror is a Class ~~D~~ C felony.

SECTION 5. Arkansas Code § 5-53-114(b), concerning intimidating a witness, informant, or juror, is amended to read as follows:

(b) Intimidating a juror, a witness, or an informant is a Class ~~G~~ B felony.

SECTION 6. Arkansas Code § 5-53-115(b), concerning the penalty for the offense of jury tampering, is amended to read as follows:

(b) Juror tampering is a Class ~~D~~ C felony.

/s/Tosh

**APPROVED: 4/15/19**