

State of Arkansas
93rd General Assembly
Regular Session, 2021

As Engrossed: H2/1/21
A Bill

HOUSE BILL 1184

By: Representative Dalby

For An Act To Be Entitled

AN ACT CONCERNING THE DRAWING OF A PERSON'S BLOOD
WHEN A PERSON WAS OPERATING OR IN ACTUAL PHYSICAL
CONTROL OF A MOTORBOAT OR MOTOR VEHICLE WHILE
INTOXICATED; AND FOR OTHER PURPOSES.

Subtitle

CONCERNING THE DRAWING OF A PERSON'S
BLOOD WHEN A PERSON WAS OPERATING OR IN
ACTUAL PHYSICAL CONTROL OF A MOTORBOAT OR
MOTOR VEHICLE WHILE INTOXICATED.

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

SECTION 1. Arkansas Code § 5-65-202(c), concerning the test of a person's blood when a person was operating or in actual physical control of a motorboat while intoxicated, is amended to read as follows:

(c) A Absent exigent circumstances, a test of a person's blood under this section to determine the person's alcohol concentration, controlled substance content, or other intoxicating substance content in his or her blood requires a warrant based on probable cause that the person was operating or in actual physical control of a motorboat on the waters of this state or a motor vehicle while intoxicated or the person's express consent to the test.

SECTION 2. Arkansas Code § 5-65-208(d), concerning the test of a person's blood when a person was operating or in actual physical control of a motorboat or motor vehicle while intoxicated, is amended to read as follows:



(d) A Absent exigent circumstances, a test of a person's blood under this section to determine the person's alcohol concentration, controlled substance content, or other intoxicating substance content in his or her blood requires a warrant based on probable cause that the person was operating or in actual physical control of a motorboat on the waters of this state or a motor vehicle while intoxicated or the person's express consent to the test.

/s/Dalby

APPROVED: 2/24/21