

**AGENDA**  
**Senate Committee on Judiciary**  
**88th General Assembly**  
**Regular Session, 2011**

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**Wednesday, March 16, 2011**

**10:00 AM**

**Room 171, State Capitol**  
**Little Rock, Arkansas**

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Sen. Jim Luker, Chair  
Sen. Ruth Whitaker, Vice Chair  
Sen. Sue Madison  
Sen. Robert Thompson

Sen. David Johnson  
Sen. Jason Rapert  
Sen. Stephanie Flowers  
Sen. Steve Harrelson

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**CONCUR IN HOUSE AMENDMENT TO SENATE BILL**  
**Subtitle**

<b>Number</b>	<b>Sponsor</b>	<b>Subtitle</b>
<a href="#">SB307</a>	S. Flowers	TO AMEND THE PENALTIES FOR FAILURE TO APPEAR AND TO DECLARE AN EMERGENCY.

**REGULAR AGENDA**

<b>Number</b>	<b>Sponsor</b>	<b>Subtitle</b>
<a href="#">SB164</a>	J. Hutchinson	TO CLARIFY THAT RELIANCE IS NOT AN ELEMENT OF PROOF IN DECEPTIVE AND UNCONSCIONABLE TRADE PRACTICES ACTIONS.
<a href="#">SB173</a>	R. Thompson	TO PROVIDE SUBPOENA POWER TO THE ATTORNEY GENERAL.
<a href="#">SB202</a>	J. Taylor	TO PROTECT THE RIGHTS OF NONCUSTODIAL PARENTS; TO REQUIRE NOTIFICATION BEFORE A CUSTODIAL PARENT RELOCATES.
<a href="#">SB214</a>	L. Chesterfield	TO ESTABLISH THE CRIME OF CYBERBULLYING.
<a href="#">SB216</a>	J. Key	TO ESTABLISH THE CONSUMER LEGAL FUNDING ACT.
<a href="#">HB1243</a>	Woods	TO PROVIDE FOR AN ADMINISTRATIVE SEX OFFENDER ADDRESS LATE VERIFICATION FEE.
<a href="#">SB271</a>	R. Thompson	TO REQUIRE THE REPORTING OF THE BATTERING OF A PREGNANT FEMALE TO A LAW ENFORCEMENT AGENCY.
<a href="#">SB299</a>	M. Lamoureux	TO ALLOW A PERSON PREVIOUSLY CONVICTED OF A FELONY BUT SUBSEQUENTLY PARDONED BY THE GOVERNOR TO BECOME A LAW ENFORCEMENT OFFICER.
<a href="#">HB1145</a>	Hall	TO CLARIFY WHAT INFORMATION IS SHARED WITH A NONCUSTODIAL PARENT WHO IS AWARDED VISITATION RIGHTS.
<a href="#">SB324</a>	P. Malone	AN ACT TO EXPEDITE DNA ANALYSIS IN CASES OF ALLEGED CHILD ABUSE AND CHILD MALTREATMENT.
<a href="#">SB327</a>	P. Malone	AN ACT TO INCREASE THE PENALTY FOR EXPOSING A CHILD TO PORTRAYALS OF LIVE, RECORDED, OR PRINTED NUDITY OR SEX ACTS.
<a href="#">SB329</a>	P. Malone	AN ACT TO INCLUDE SCHOOL PRINCIPALS, ATHLETIC COACHES, AND COUNSELORS AMONG PERSONS WHO ARE GUILTY OF SEXUAL ASSAULT IN THE SECOND DEGREE FOR SEXUAL CONTACT WITH A STUDENT LESS THAN TWENTY-ONE (21) YEARS OF AGE.
<a href="#">HB1015</a>	Woods	TO MANDATE AN ADDITIONAL FINE FOR ANY PERSON CONVICTED OF A FELONY SEX OFFENSE.
<a href="#">SB347</a>	R. Thompson	TO REAPPORTION THE COURT OF APPEALS DISTRICTS.
<a href="#">SB402</a>	J. Dismang	TO CLARIFY THE PROPERTY HELD BY THE STATE THAT IS SUBJECT TO GARNISHMENT AFTER A JUDGMENT IS ENTERED.
<a href="#">SB390</a>	Laverty	REGARDING A MENTAL HEALTH EXAMINATION OF A DEFENDANT.

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<a href="#">SB389</a>	Laverty	REGARDING THE RELEASE OF AN ACQUITEE FOR MENTAL DISEASE OR DEFECT.
<a href="#">SB410</a>	J. Dismang	TO AMEND THE CRITERIA FOR AN AFFIDAVIT AS TO CORRECTNESS OF ACCOUNT.
<a href="#">SB422</a>	Holland	TO CLARIFY THAT REAL ESTATE BROKERS AND AGENTS MAY TESTIFY IN JUDICIAL PROCEEDINGS.
<a href="#">HB1419</a>	Patterson	REGARDING THE TIME PERIOD AFTER WHICH A PERSON MAY FILE FOR EXECUTIVE CLEMENCY.
<a href="#">SB783</a>	J. Key	TO REQUIRE AN ADMINISTRATIVE SUSPENSION OF A PERSON'S DRIVER'S LICENSE IF HE OR SHE IS ARRESTED FOR OR CONVICTED OF NEGLIGENT HOMICIDE RESULTING FROM DRIVING WHILE INTOXICATED.
<a href="#">SB668</a>	S. Harrelson	TO AMEND THE OFFENSE OF SELLING OR LOANING PORNOGRAPHY TO A MINOR TO INCLUDE THE USE OF THE INTERNET AND TO PROVIDE FOR AN ENHANCED PENALTY.
<a href="#">SB679</a>	Luker	TO ALLOW A DISTRICT COURT TO ADMINISTER A DRUG COURT PROGRAM, PRESIDE OVER A PROBATION REVOCATION, OR PRESIDE OVER A PAROLE REVOCATION IN CERTAIN CIRCUMSTANCES.
<a href="#">HB1408</a>	Hopper	TO PROHIBIT LEVEL 2 SEX OFFENDERS FROM LIVING WITHIN TWO THOUSAND FEET FROM A SCHOOL, PUBLIC PARK, YOUTH CENTER, OR DAYCARE.
<a href="#">HB1456</a>	Powers	REGARDING A DELINQUENCY PROCEEDING.
<a href="#">SB684</a>	Burnett	REGARDING EVIDENCE AND A DEFENDANT'S CONFESSION.
<a href="#">SB685</a>	Burnett	TO AMEND THE STATUTE REGARDING INSTALLMENT PAYMENTS FOR FINES.
<a href="#">SB686</a>	Burnett	REGARDING THE SENTENCE ENHANCEMENT FOR DOMESTIC BATTERING IN THE FIRST, SECOND, OR THIRD DEGREE.
<a href="#">SB703</a>	R. Thompson	TO ADD AN ADDITIONAL DISTRICT COURT JUDGE IN CRAIGHEAD COUNTY.
<a href="#">SB707</a>	B. Pritchard	TO AMEND ARKANSAS LAW CONCERNING INVOLUNTARY COMMITMENTS OF PERSONS ADDICTED TO ALCOHOL AND DRUGS.
<a href="#">SB736</a>	B. Pritchard	TO ESTABLISH CRIMINAL PENALTIES FOR THE POSSESSION OF LESS THAN FOUR OUNCES OF A SCHEDULE VI CONTROLLED SUBSTANCE.
<a href="#">SB744</a>	M. Lamoureux	TO PROVIDE FOR THE APPOINTMENT OF JUDGES TO THE COURT OF APPEALS BASED UPON A MERIT SELECTION SYSTEM SUBJECT TO APPROVAL BY THE VOTERS.
<a href="#">SB745</a>	M. Lamoureux	PROHIBITING THE CONCEALING OF A CORPSE IN AN OFFENSIVE MANNER.
<a href="#">SB741</a>	L. Chesterfield	AN ACT TO ADDRESS THE PROBLEM OF "SEXTING" AND TO CREATE THE OFFENSES OF WIRELESS COMMUNICATION DEVICE STALKING OF A CHILD AND COMMUNICATING IMPROPERLY USING A WIRELESS DEVICE WITH A MINOR.
<a href="#">SB762</a>	Salmon	TO REDUCE THE COST OF PREPARING A CASE RECORD ON APPEAL.
<a href="#">SB806</a>	Elliott	TO BE TITLED THE ARKANSAS RESTORATIVE JUSTICE RESPONSIBILITY ACT.
<a href="#">SB828</a>	Luker	REGARDING THE BALLOT FORM FOR A JUDICIAL ELECTION.
<a href="#">SB838</a>	J. Hutchinson	TO ENACT THE FALSE MEDICAID CLAIMS ACT; TO ENCOURAGE AND ASSIST THE RECOVERY OF MONEYS FRAUDULENTLY RECEIVED FROM THE MEDICAID PROGRAM; TO INCREASE THE STATE'S PORTION OF FUNDS RECOVERED; TO DECLARE AN EMERGENCY.
<a href="#">SB847</a>	Luker	TO CONTROL THE MEDICAL COSTS FOR INMATES IN STATE, COUNTY, OR MUNICIPAL CORRECTIONAL FACILITIES.
<a href="#">SB854</a>	Rapert	TO AMEND THE LAWS CONCERNING EMINENT DOMAIN.
<a href="#">SB855</a>	Rapert	TO ALLOW AN AUXILIARY LAW ENFORCEMENT OFFICER APPOINTED AS A RESERVE LAW ENFORCEMENT OFFICER TO ADMINISTER BLOOD ALCOHOL TESTS AND TO OPERATE A DEVICE TO DETECT EXCESSIVE SPEEDING.
<a href="#">SB856</a>	Rapert	REGARDING THE CARRYING OF CONCEALED HANDGUNS IN CHURCH OR OTHER PLACE OF WORSHIP.
<a href="#">SB861</a>	S. Harrelson	REGARDING ACCESS TO MEDICAL RECORDS.
<a href="#">SB863</a>	S. Harrelson	TO INCREASE THE PENALTY FOR ABUSE OF A CORPSE.
<a href="#">SB872</a>	S. Flowers	AN ACT REQUIRING THE OFFICE OF CHILD SUPPORT ENFORCEMENT TO EXHAUST ALL AVAILABLE CIVIL REMEDIES BEFORE A PERSON COMMITS THE CRIME OF NONSUPPORT AND TO DECLARE AN EMERGENCY.
<a href="#">SB873</a>	S. Flowers	REGARDING THE JUDICIAL RELIEF AVAILABLE UNDER THE DOMESTIC ABUSE ACT AND TO DECLARE AN EMERGENCY.
<a href="#">SB879</a>	J. Hutchinson	TO AMEND THE PENALTIES FOR OFFENSES INVOLVING THE REPEATED DEFRAUDING

OF A PERSON OR PERSONS.

<a href="#">SB868</a>	Crumbly	TO PROVIDE FOR AN AMENDMENT TO THE UNIFORM FILING FEE FOR CIVIL ACTIONS IN CIRCUIT COURT AND TO PROVIDE FOR A PORTION OF THE FILING FEE TO BE DISTRIBUTED TO A FUND.
<a href="#">SB887</a>	D. Johnson	TO CREATE THE UNIFORM POWER OF ATTORNEY ACT.
<a href="#">SB891</a>	Holland	TO REQUIRE AN ENTITY AUTHORIZED TO EXERCISE EMINENT DOMAIN TO CONSIDER THE USE OF PUBLIC PROPERTY BEFORE TAKING PRIVATE PROPERTY.
<a href="#">SB910</a>	J. Key	AMENDING THE OFFENSE OF AGGRAVATED RESIDENTIAL BURGLARY.
<a href="#">SB937</a>	Rapert	TO AMEND THE TRANSPORTATION AND BOOKING REQUIREMENTS FOR LAW ENFORCEMENT REGARDING AN ARREST OF A PERSON FOR A CLASS A MISDEMEANOR.
<a href="#">SB941</a>	M. Lamoureux	REGARDING THE ARKANSAS PUBLIC DEFENDER COMMISSION.
<a href="#">SB945</a>	S. Harrelson	REGARDING THE CIVIL JUSTICE REFORM ACT OF 2003.
<a href="#">SB948</a>	Irvin	TO PROTECT THE RIGHT TO PHOTOGRAPH, VIDEOTAPE, OR OTHERWISE RECORD A PUBLIC EVENT.
<a href="#">SB962</a>	Laverty	TO PROVIDE FOR THE STUDY OF ADULT JAIL STANDARDS AND JUVENILE JAIL STANDARDS BY THE INTERIM SENATE COMMITTEE ON JUDICIARY.
<a href="#">SB965</a>	Irvin	TO AMEND ARKANSAS LAW CONCERNING THE BURDEN OF PROOF REQUIRED TO CORROBORATE A DEFENDANT'S CONFESSION AND SUSTAIN A CONVICTION.
<a href="#">SB969</a>	Files	TO PROVIDE THAT CERTAIN PERSONS MAY BE ELIGIBLE FOR PAROLE.
<a href="#">SB970</a>	Rapert	TO AMEND THE LAWS CONCERNING EMINENT DOMAIN.
<a href="#">SB974</a>	S. Harrelson	REGARDING THE ARKANSAS PUBLIC DEFENDER COMMISSION AND ACCESS TO THE ARKANSAS CRIME INFORMATION CENTER.
<a href="#">SB976</a>	Bookout	TO AMEND THE LAWS REGARDING SEX OFFENDERS.
<a href="#">SB985</a>	Irvin	TO AMEND ARKANSAS LAW CONCERNING THE NONPARTISAN ELECTION OF PROSECUTING ATTORNEYS.
<a href="#">HB1532</a>	Allen	TO AUTHORIZE ELECTRONIC TRAFFIC TICKETS.
<a href="#">HB1873</a>	Catlett	TO ALLOW A CONCEALED HANDGUN LICENSEE TO KEEP A HANDGUN IN HIS OR HER LOCKED VEHICLE ON HIS OR HER EMPLOYER'S PARKING LOT.
<a href="#">HB1631</a>	Stewart	REGARDING THE POSSESSION OF HANDGUNS.
<a href="#">HB1563</a>	Ingram	AN ACT TO AMEND JULI'S LAW; TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM A PERSON ARRESTED FOR RAPE AND TO DECLARE AN EMERGENCY.
<a href="#">SB1000</a>	J. Key	TO AMEND THE LAWS REGARDING THE VIOLATION OF ORDERS OF PROTECTION.
<a href="#">HB1859</a>	Slinkard	MAKING CERTAIN TECHNICAL AMENDMENTS TO TITLE 16.
<a href="#">HB1438</a>	Williams	TO ESTABLISH THE ARKANSAS ARBITRATION ACT.
<a href="#">SB827</a>	Luker	TO MAKE TECHNICAL CORRECTIONS TO TITLE 5 AND TITLE 16 OF THE ARKANSAS CODE.
<a href="#">SB1002</a>	J. Key	TO AMEND THE LAWS REGARDING JUDICIAL SALARIES.
<a href="#">HB1232</a>	T. Thompson	TO AMEND THE LAW CONCERNING THE USE OF TEAR GAS OR PEPPER SPRAY.
<a href="#">HB1451</a>	Summers	CONCERNING VARIOUS ADOPTION PROVISIONS.
<a href="#">HB1504</a>	Post	TO PROHIBIT A LEVEL 3 OR LEVEL 4 SEX OFFENDER FROM BEING AT A WATER PARK OWNED OR OPERATED BY A LOCAL GOVERNMENT AND TO DECLARE AN EMERGENCY.
<a href="#">HB1457</a>	Hobbs	TO MAKE ILLEGAL THE DEFRAUDING OF PROSPECTIVE ADOPTIVE PARENTS.
<a href="#">HB1608</a>	Nickels	REGARDING THE EXPUNGEMENT OF MISDEMEANOR CONVICTIONS.
<a href="#">HB1628</a>	Leding	AN ACT TO CLARIFY THE LAW CONCERNING GUARDIANSHIPS AND TO EXPAND THE RANGE OF PERSONS ELIGIBLE TO BE GUARDIANS.
<a href="#">HB1812</a>	T. Rogers	CONCERNING THE JUVENILE CODE AND JUVENILE COURT PROCEDURES.
<a href="#">HB1817</a>	Woods	REGARDING THE DAMAGING OR DEFACING OF PROPERTY BY A MINOR.
<a href="#">HB1414</a>	H. Wilkins	REGARDING THE OFFENSE OF STALKING AND TO ESTABLISH CIVIL LIABILITY FOR STALKING.
<a href="#">HB1415</a>	H. Wilkins	REGARDING THE PROHIBITION AGAINST A SEX OFFENDER WORKING WITH CHILDREN.

#### **DEFERRED BILLS**

<b>Number</b>	<b>Sponsor</b>	<b>Subtitle</b>
<a href="#"><u>SB62</u></a>	Madison	AMENDING THE UNIFORM CONTROLLED SUBSTANCES ACT CONCERNING CERTAIN CRIMINAL PENALTIES.
<a href="#"><u>SB97</u></a>	Bledsoe	TO PROTECT RIGHTS AND PRIVILEGES GRANTED UNDER THE UNITED STATES CONSTITUTION AND THE ARKANSAS CONSTITUTION.
<a href="#"><u>SB322</u></a>	P. Malone	AN ACT TO REQUIRE EACH COUNTY COURTHOUSE TO PROVIDE FOR CLOSED-CIRCUIT TELEVISION BROADCAST OF CHILD TESTIMONY IN CHILD MALTREATMENT CASES.
<a href="#"><u>SB325</u></a>	P. Malone	AN ACT TO PROVIDE CRIMINAL PENALTIES FOR UNLAWFUL DISCLOSURE OF INTERVIEW INFORMATION FROM A CHILD SAFETY CENTER OR CHILD ADVOCACY CENTER.