

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
92nd General Assembly  
Regular Session, 2019

As Engrossed: H2/5/19  
**A Bill**

HOUSE BILL 1294

By: Representative Della Rosa

### **For An Act To Be Entitled**

AN ACT *RESTORING* PROSECUTORIAL DISCRETION IN THE  
RESOLUTION OF DRIVING OR BOATING WHILE INTOXICATED  
CASES; AND FOR OTHER PURPOSES.

### **Subtitle**

*RESTORING* PROSECUTORIAL DISCRETION IN THE  
RESOLUTION OF DRIVING OR BOATING WHILE  
INTOXICATED CASES.

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

SECTION 1. Arkansas Code § 5-65-107 is amended to read as follows:

5-65-107. ~~Persons arrested to be tried on charges — No charges reduced~~  
— Filing citations.

~~(a) — A person arrested for violating § 5-65-103 shall be tried on the  
charge of violating § 5-65-103 or plead to the charge of violating § 5-65-  
103, and the charge of violating § 5-65-103 shall not be reduced or  
dismissed.~~

~~(b) — Furthermore, when~~ When a law enforcement officer issues a citation  
for violating § 5-65-103, the citation shall be filed with the court as soon  
as possible.

/s/Della Rosa

