

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

As Engrossed: S2/11/15

A Bill

SENATE BILL 227

5 By: Senator Irvin
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For An Act To Be Entitled

8 *AN ACT CONCERNING THE OFFENSE OF CRIMINAL*
9 *IMPERSONATION; CONCERNING UNLAWFUL MARKINGS INTENDED*
10 *TO RESEMBLE A LAW ENFORCEMENT OFFICER OR VEHICLE;*
11 *CONCERNING A COURT ORDER FOR IMMEDIATE REMOVAL; AND*
12 *FOR OTHER PURPOSES.*

Subtitle

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16 *AN ACT CONCERNING THE OFFENSE OF CRIMINAL*
17 *IMPERSONATION; CONCERNING UNLAWFUL*
18 *MARKINGS INTENDED TO RESEMBLE A LAW*
19 *ENFORCEMENT OFFICER OR VEHICLE; AND*
20 *CONCERNING A COURT ORDER FOR IMMEDIATE*
21 *REMOVAL.*

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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 5-37-208 is amended to read as follows:

27 5-37-208. Criminal impersonation.

28 (a)(1) A person commits criminal impersonation in the first degree if,
29 with the purpose to induce a person to submit to pretended official authority
30 for the purpose to injure or defraud the person, the person:

31 (A) Pretends to be a law enforcement officer by wearing or
32 displaying, without authority, any uniform or badge by which a law
33 enforcement officer is lawfully distinguished; or

34 (B) *Uses a motor vehicle or motorcycle designed, equipped,*
35 *or marked with an emblem, logo, marking, decal, insignia, or design so as to*
36 *resemble a motor vehicle or motorcycle belonging to a federal, state, or*



1 *local law enforcement agency or law enforcement officer.*

2 (2) Criminal impersonation in the first degree is a Class D
3 felony.

4 (b)(1) A person commits criminal impersonation in the second degree if
5 the person does an act in his or her pretended or assumed capacity or
6 character with the purpose to injure, defraud, harass, or intimidate another
7 person and the actor:

8 (A) Assumes a false identity;

9 (B) Pretends to be a representative of a person or
10 organization;

11 (C) Pretends to be an officer or employee of the
12 government other than a law enforcement officer described in subsection (a)
13 of this section;

14 (D) Pretends that he or she is a law enforcement officer
15 when the person is not a law enforcement officer; or

16 (E) Pretends to have a handicap or disability.

17 (2) Criminal impersonation in the second degree is a:

18 (A) Class D felony if:

19 (i) The victim of the offense is an animal owner;
20 and

21 (ii) An animal of the owner is seized as a result of
22 the offense; or

23 (B) Class A misdemeanor if otherwise committed.

24 (c) As used in this section:

25 (1) "Animal" means the same as defined in § 5-62-102; and

26 (2) "Owner" means the same as defined in § 5-62-102.

27 (d) A circuit court or district court in which a charge is filed under
28 subsection (a) of this section may immediately order the removal of any
29 emblems, logos, markings, decals, insignia, or designs that are the subject
30 of a criminal charge under this section.

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32 /s/Irvin
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