

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

SENATE BILL 945

5 By: Senator G. Stubblefield
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For An Act To Be Entitled

8 AN ACT TO PERMIT ENTRY UPON PRIVATE PROPERTY FOR THE
9 LIMITED PURPOSE TO RETRIEVE HUNTING DOGS; AND FOR
10 OTHER PURPOSES.
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Subtitle

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13 TO PERMIT ENTRY UPON PRIVATE PROPERTY FOR
14 THE LIMITED PURPOSE TO RETRIEVE HUNTING
15 DOGS.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 5-39-203 is amended to read as follows:

22 5-39-203. Criminal trespass.

23 (a) A person commits criminal trespass if he or she purposely enters
24 or remains unlawfully in or upon:

25 (1) A vehicle; or

26 (2) The premises of another person.

27 (b) Criminal trespass is a:

28 (1) Class B misdemeanor if the vehicle or premises involved is
29 an occupiable structure; or

30 (2) Class C misdemeanor if otherwise committed.

31 (c) It is a defense to prosecution under this section if a person
32 enters or remains upon the premises of another person:

33 (1) Solely for the purpose of retrieving a hunting dog;

34 (2) Does not have in his or her possession a deadly weapon;

35 (3) Identifies himself or herself to the owner of the premises
36 if requested by the owner;



1 (4) Does not hunt while on the premises; and

2 (5) Does not without the consent of the owner use a vehicle or
3 other motorized equipment to retrieve the hunting dog.

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5 SECTION 2. Arkansas Code § 18-11-403(a)(4)(C), concerning affirmative
6 defenses to unlawful entry upon land, is amended to read as follows:

7 (C) The person was:

8 (i) ~~required~~ Required to enter upon the premises for
9 business reasons or for health or safety reasons; or

10 (ii) On the real property solely for the purpose of
11 retrieving a hunting dog and:

12 (a) Did not have in his or her possession a
13 firearm or bows and arrows;

14 (b) Did not hunt while on the real property;

15 (c) Did not without the consent of the owner
16 use a vehicle or other motorized equipment to retrieve the hunting dog; and

17 (d) Identified himself or herself to the owner
18 of the premises if requested by the owner.

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