

1 State of Arkansas  
2 95th General Assembly  
3 Regular Session, 2025  
4

# A Bill

HOUSE BILL 1780

5 By: Representative Gazaway  
6 By: Senator Gilmore  
7

## For An Act To Be Entitled

8  
9 AN ACT TO AMEND THE LAW CONCERNING THE RETENTION OF  
10 PROPERTY RELATED TO A FELONY INVESTIGATION; AND FOR  
11 OTHER PURPOSES.  
12  
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## Subtitle

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15 TO AMEND THE LAW CONCERNING THE  
16 RETENTION OF PROPERTY RELATED TO A  
17 FELONY INVESTIGATION.  
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code § 13-4-409(a), concerning items in possession  
22 of a sheriff's office pursuant to a criminal investigation or court case, is  
23 amended to read as follows:

24 (a) If an item is in the possession of a county sheriff's office  
25 pursuant to a felony criminal investigation, it shall be retained until the  
26 applicable statute of limitation for the most serious possible crime to which  
27 it could be connected has lapsed unless the item is:

28 (1) Released by an order of the court; or

29 (2) Released by the prosecuting attorney because:

30 (i) There will be no prosecution pursuant to the felony  
31 criminal investigation; or

32 (ii) The item is not needed for a prosecution pursuant to  
33 the felony criminal investigation.  
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