

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Senators Webb and Harriman**

A Bill

ACT 1173 OF 1995
SENATE BILL 854

For An Act To Be Entitled

8 "AN ACT TO AMEND ARK. CODE 5-13-202 TO PROVIDE THAT
9 CAUSING PHYSICAL INJURY TO EMERGENCY MEDICAL PERSONNEL
10 CONSTITUTES BATTERY IN THE SECOND DEGREE; AND FOR OTHER
11 PURPOSES."

Subtitle

14 "AN ACT TO AMEND ARK. CODE 5-13-202 TO
15 PROVIDE THAT CAUSING PHYSICAL INJURY TO
16 EMERGENCY MEDICAL PERSONNEL CONSTITUTES
17 BATTERY IN THE SECOND DEGREE."

18
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. Arkansas Code 5-13-202 is amended to read as follows:

22 "§ 5-13-202. Battery in the second degree.

23 (a) A person commits battery in the second degree if:

24 (1) With the purpose of causing physical injury to another
25 person, he causes serious physical injury to any person;

26 (2) With the purpose of causing physical injury to another
27 person, he causes physical injury to any person by means of a deadly weapon;

28 (3) He recklessly causes serious physical injury to another
29 person by means of a deadly weapon; or

30 (4) He intentionally or knowingly without legal justification
31 causes physical injury to one he knows to be:

32 (A) A law enforcement officer or fire fighter, while such
33 officer or fire fighter is acting in the line of duty;

34 (B) A teacher or other person employed in any school, and
35 the teacher or other employee is upon the grounds of the school or grounds
36 adjacent thereto or is in any part of a building used for school purposes;

1 (C) An individual sixty (60) years of age or older or
2 twelve (12) years of age or younger;

3 (D) An officer or employee of the state while the officer
4 or employee is acting in the performance of his lawful duty;

5 (E) A person *certified* as an emergency medical *technician*
6 *as defined in Ark. Code 20-13-202 or any other licensed or certified health*
7 *care professional while performing emergency medical services.*

8 (b) Battery in the second degree is a Class D felony."
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10 SECTION 2. All provisions of this act of a general and permanent nature
11 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
12 Revision Commission shall incorporate the same in the Code.
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14 SECTION 3. If any provision of this act or the application thereof to
15 any person or circumstance is held invalid, such invalidity shall not affect
16 other provisions or applications of the act which can be given effect without
17 the invalid provision or application, and to this end the provisions of this
18 act are declared to be severable.
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20 SECTION 4. All laws and parts of laws in conflict with this act are
21 hereby repealed.
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24 /s/Webb and Harriman

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26 APPROVED: 4-11-95
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