

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

As Engrossed: S2/01/01 S2/20/01 H3/14/01

A Bill

Act 1046 of 2001
SENATE BILL 11

5 By: Senator DeLay
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For An Act To Be Entitled

9 AN ACT TO ESTABLISH THE OFFENSE OF COMMUNICATING
10 A DEATH THREAT CONCERNING A SCHOOL EMPLOYEE OR
11 STUDENT; AND FOR OTHER PURPOSES.
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Subtitle

15 TO ESTABLISH THE OFFENSE OF COMMUNICATING A
16 DEATH THREAT CONCERNING A SCHOOL EMPLOYEE
17 OR STUDENT.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. (a) A person commits the offense of communicating a death
22 threat concerning a school employee or student if:

23 (1) The person communicates to any other person a threat to cause
24 the death of a school employee or student;

25 (2) The threat involves the use of a firearm or other deadly
26 weapon;

27 (3) A reasonable person would believe the person making the
28 threat intends to carry out the threat;

29 (4) The person making the threat purposely engaged in conduct
30 that constitutes a substantial step in a course of conduct intended to
31 culminate in the commission of the threatened act; and

32 (5) There is a close temporal relationship between the threatened
33 act and the substantial step.

34 (b) Conduct is not a substantial step under this section unless it is
35 strongly corroborative of the person's criminal purpose.

36 (c) Communicating a death threat concerning a school employee or

1 student is a Class D felony.

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3 SECTION 2. For purposes of this act, "school" means any:

4 (1) Elementary, junior high, or high school;

5 (2) Technical institute or post-secondary vocational -technical
6 school; or

7 (3) Two (2) or four (4) year college or university.

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11 /s/ DeLay

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APPROVED: 3/23/2001

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