

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Senator Scott**

A Bill

SENATE BILL 48

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED §5-13-310 TO
9 INCLUDE SHOOTING AT OCCUPIABLE STRUCTURES IN THE
10 DEFINITION OF A TERRORISTIC ACT; AND FOR OTHER PURPOSES."

Subtitle

13 "AN ACT TO INCLUDE SHOOTING AT OCCUPIABLE STRUCTURES IN
14 THE DEFINITION OF A TERRORISTIC ACT."

16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

18 SECTION 1. Arkansas Code §5-13-310 is hereby amended to read as
19 follows:

20 "5-13-310. Terroristic act.

21 (a) For the purposes of this section, a person commits a terroristic
22 act when, while not in the commission of a lawful act;

23 (1) He shoots at or in any manner projects an object with the
24 *purpose* to cause injury to persons or property at a conveyance which is being
25 operated or which is occupied by passengers; or

26 (2) He shoots with the *purpose* to cause injury to persons or
27 property at an occupiable structure.

28 (b) (1) Any person who shall commit a terroristic act as defined in
29 subsection (a) of this section shall be deemed guilty of a Class B felony;

30 (2) Any person who shall commit a terroristic act as defined in
31 *subsection (a) shall be deemed guilty of a Class Y felony if the person, with*
32 *purpose of causing physical injury to another person, causes serious physical*
33 *injury or death to any person.*

34 (c) This section shall not repeal any laws or parts of laws in conflict
35 herewith, but shall be supplemental thereto.

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SECTION 2. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 4. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 5. EMERGENCY. It is hereby found and determined by the General Assembly of the State of Arkansas that the definition of "terroristic act" does not include shootings into occupiable structures which have become prevalent in addition to shootings into automobiles which is covered in the definition. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health, and safety, shall be in full force and effect from and after its passage and approval.

/s/ Senator Scott

