

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

A Bill

SENATE BILL 76

For An Act To Be Entitled

8 "AN ACT TO PROHIBIT A PERSON WHO IS INJURED OR SUFFERS
9 DAMAGES WHILE COMMITTING A FELONY FROM SUING FOR DAMAGES;
10 AND FOR OTHER PURPOSES."

Subtitle

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13 "AN ACT TO PROHIBIT A PERSON WHO IS INJURED OR SUFFERS
14 DAMAGES WHILE COMMITTING A FELONY FROM SUING FOR DAMAGES."
15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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17 SECTION 1. If a person while committing a felony is injured or his or
18 her property damaged, the person who causes such injury or damage shall not be
19 liable for damages nor subject to suit for the injury or damage.

20 *Provided that:*

21 (A) *the person causing such injury or damage has not acted with malice;*

22 (B) *the person committing the felony has not clearly retreated from the*
23 *felonious activity;*

24 (C) *the person causing such injury or damage has not prearranged a trap*
25 *that would automatically inflict injury or damage to any person entering a*
26 *certain location; and*

27 (D) *the act causing the injury or damage was the result of or in*
28 *response to the commission of the felony.*

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

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

1 the invalid provision or application, and to this end the provisions of this
2 act are declared to be severable.

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5 hereby repealed.

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7 /s/ Senator Walters

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