

"AN ACT TO PROVIDE THAT WHEN A PERSON INJURES OR THREATENS TO INJURE A PERSON SIXTY YEARS OF AGE OR OLDER DURING THE COMMISSION OF A CRIME THE SENTENCING POSSIBILITIES MAY BE ENHANCED TO THE NEXT HIGHER CLASSIFICATION OF CRIMINAL OFFENSES; AND FOR OTHER PURPOSES."

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

SECTION 1. When any person is found guilty or pleads guilty or nolo contendere to a crime which involved physical injury to or the threat of physical injury to a person at least sixty years of age, then if the crime is a Class A, B, C or D felony or a Class A, B or C misdemeanor the classification may be enhanced to the next higher classification for purposes of sentencing. For instance, if the crime is a Class C felony the defendant may be sentenced as prescribed for Class B felonies. If the crime is one in which aggravating circumstances may be shown, the fact that the defendant physically injured or threatened to physically injure a person at least sixty (60) years of age may be considered an aggravating circumstance for sentencing purposes.

SECTION 2. All laws and parts of laws in conflict with this Act are hereby repealed.

APPROVED: 3/10/87

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