

"AN ACT TO AMEND SECTION 1505 OF ACT 280 OF 1975 [ARK. STAT. 41-1505], RELATING TO NEGLIGENT HOMICIDE."

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

SECTION 1. Section 1505 of Act 280 of 1975, the same being Arkansas Statute 41-1505, is hereby amended to read as follows:

"Section 1505. NEGLIGENT HOMICIDE.

(1)(a) A person commits negligent homicide if he negligently causes the death of another person, not constituting murder or manslaughter, as a result of operating a vehicle, an aircraft, or watercraft;

(i) while intoxicated; or

(ii) if at that time there is 0.10% or more by weight of alcohol in the person's blood as determined by a chemical test of the person's blood, urine, breath, or other bodily substance.

(b) A person who violates subsection (1) is guilty of a class D felony.

(2)(a) A person commits negligent homicide if he negligently causes the death of another person.

(b) A person who violates subsection (2) is guilty of a class A misdemeanor.

(3) For the purpose of this Section 'Intoxicated' means influenced or affected by the ingestion of alcohol, a controlled substance, any intoxicant, or any combination thereof, to such a degree that the driver's reactions, motor skills, and judgment are substantially altered and the driver, therefore, constitutes a clear and substantial danger of physical injury or death to himself and other motorists or pedestrians."

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 All laws and parts of laws in conflict with this Act are hereby repealed.

APPROVED: 4/1/87

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