

1 **State of Arkansas**  
2 **80th General Assembly**  
3 **Regular Session, 1995**  
4 **By: Representative Pollan**

# A Bill

**ACT 578 OF 1995**  
**HOUSE BILL 1511**

## For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 5-14-104 TO UPGRADE CARNAL  
9 ABUSE IN THE FIRST DEGREE FROM A CLASS B FELONY TO A CLASS  
10 A FELONY."

## Subtitle

13 "TO AMEND ARKANSAS CODE 5-14-104 TO  
14 UPGRADE CARNAL ABUSE IN THE FIRST DEGREE  
15 FROM A CLASS B FELONY TO A CLASS A  
16 FELONY."

17  
18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

19  
20 SECTION 1. Arkansas Code 5-14-104 is amended to read as follows:

21 "§ 5-14-104. Carnal abuse in the first degree.

22 (a) A person commits carnal abuse in the first degree if, being under  
23 the age of eighteen (18) years, he engages in sexual intercourse or deviate  
24 sexual activity with another person not his spouse who is less than fourteen  
25 (14) years old. It is an affirmative defense to prosecution under this  
26 subsection that the actor was not more than two (2) years older than the  
27 victim.

28 (b) Carnal abuse in the first degree is a Class A felony."  
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30 SECTION 2. All provisions of this act of a general and permanent nature  
31 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
32 Revision Commission shall incorporate the same in the Code.  
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34 SECTION 3. If any provision of this act or the application thereof to  
35 any person or circumstance is held invalid, such invalidity shall not affect  
36 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5 hereby repealed.

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10 APPROVED: 3-9-95

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