

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997
4

As Engrossed: H1/30/97 H1/31/97

A Bill

ACT 818 OF 1997
HOUSE BILL 1309

5 By: Representative Ferrell
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For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED §§ 16-90-703(2)
10 AND 16-90-703(5) TO INCLUDE RESIDENTS OF THIS STATE WHO ARE
11 INJURED OR KILLED BY AN ACT OF TERRORISM IN THE DEFINITION
12 OF VICTIM FOR PURPOSES OF THE ARKANSAS CRIME VICTIMS
13 REPARATIONS ACT; AND FOR OTHER PURPOSES."
14

Subtitle

15 "TO INCLUDE RESIDENTS OF THIS STATE WHO
16 ARE INJURED OR KILLED BY AN ACT OF
17 TERRORISM IN THE DEFINITION OF VICTIM
18 FOR PURPOSES OF THE ARKANSAS CRIME
19 VICTIMS REPARATIONS ACT"
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code Annotated § 16-90-703(2) is amended to read as
25 follows:

26 "(2) Victim means a person who suffers personal injury or death as a
27 result of criminally injurious conduct committed either within the State of
28 Arkansas or against any Arkansas resident who suffers personal injury as the
29 result of criminally injurious conduct which occurs in states presently not
30 having crime victims reparations programs for which the victim is eligible and
31 further includes any Arkansas resident who is injured or killed by an act of
32 terrorism committed outside of the United States as defined in § 2331, Title
33 18, United States Code;"
34

35 SECTION 2. Arkansas Code Annotated § 16-90-703(5) is amended to read as
36 follows:

1 "(5) 'Criminally injurious conduct' means an act which occurs or is
2 attempted in this state that results in personal injury or death to a victim,
3 which act is punishable by fine, imprisonment, or death. This term shall
4 include acts of terrorism committed outside of the United States as defined in
5 § 2331, Title 18, United States Code against any Arkansas resident. This term
6 shall not include acts arising out of the operation of motor vehicles, boats,
7 or aircraft unless the acts were committed with the intent to inflict injury
8 or death or unless the acts committed were in violation of the Omnibus DWI
9 Act, § 5-65-101 et seq. For the purposes of this subchapter, a person shall be
10 deemed to have committed criminally injurious conduct notwithstanding that by
11 reason of age, insanity, drunkenness, or other reason, he was legally
12 incapable of committing a crime;"
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14 SECTION 3. All provisions of this act of a general and permanent nature
15 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
16 Revision Commission shall incorporate the same in the Code.

17
18 SECTION 4. If any provision of this act or the application thereof to
19 any person or circumstance is held invalid, such invalidity shall not affect
20 other provisions or applications of the act which can be given effect without
21 the invalid provision or application, and to this end the provisions of this
22 act are declared to be severable.

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

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27 SECTION 6. EMERGENCY. It is found and determined by the General
28 Assembly of the State of Arkansas that in order to compensate and assist
29 victims of criminal acts who suffer personal injury or death, the Crime
30 Victims Reparations Fund must be adequately funded and in order to maintain
31 eligibility for certain federal monies presently available to the Crime
32 Victims Reparations Fund and to make certain Arkansas residents who are
33 injured or killed by acts of terrorism committed outside the United States are
34 eligible to receive this help, this act is necessary. Therefore an emergency
35 is declared to exist and this act being immediately necessary for the
36 preservation of the public peace, health and safety shall become effective on

1 the date of its approval by the Governor. If the bill is neither approved nor
2 vetoed by the Governor, it shall become effective on the expiration of the
3 period of time during which the Governor may veto the bill. If the bill is
4 vetoed by the Governor and the veto is overridden, it shall become effective
5 on the date the last house overrides the veto.

6 /s/Rep. Ferrell

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8 APPROVED:3-26-97

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