

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.
Act 630 of the Regular Session

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009

A Bill

HOUSE BILL 1833

4
5 By: Representative Powers
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7

For An Act To Be Entitled

8
9 AN ACT TO AMEND SEXUAL ASSAULT IN THE FOURTH
10 DEGREE; AND FOR OTHER PURPOSES.
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Subtitle

12
13 TO AMEND SEXUAL ASSAULT IN THE FOURTH
14 DEGREE.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code § 5-14-127 is amended to read as follows:
20 5-14-127. Sexual assault in the fourth degree.

21 (a) A person commits sexual assault in the fourth degree if the
22 person:

23 (1) Being twenty (20) years of age or older~~;~~

24 ~~(A) engages~~ Engages in sexual intercourse or deviate
25 sexual activity with another person who is:

26 ~~(A)(i)~~ Less than sixteen (16) years of age; and

27 ~~(B)(ii)~~ Not the person's spouse; or

28 ~~(2)(B)~~ Engages in sexual contact with another person who
29 is:

30 ~~(A)(i)~~ Less than sixteen (16) years of age; and

31 ~~(B)(ii)~~ Not the person's spouse~~;~~ or

32 (2) Engages in sexual contact with another person who is not the
33 actor's spouse, and the actor is employed with the Department of Correction,
34 Department of Community Correction, Department of Human Services, or any city
35 or county jail, and the victim is in the custody of the Department of



1 Correction, Department of Community Correction, Department of Human Services,
2 or a city or county jail; or

3 (b)(1) Sexual assault in the fourth degree under ~~subdivision~~
4 subdivisions (a)(1)(A) and (a)(2) of this section is a Class D felony.

5 (2) Sexual assault in the fourth degree under subdivision ~~(a)(2)~~
6 (a)(1)(B) of this section is a Class A misdemeanor if the person engages only
7 in sexual contact with another person as described in subdivision ~~(a)(2)~~
8 (a)(1)(B) of this section.

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10 **APPROVED: 3/27/2009**
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