

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

HOUSE BILL 1809

5 By: Representative Love
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For An Act To Be Entitled

8 AN ACT TO CREATE AN ADDITIONAL TERM OF IMPRISONMENT
9 FOR OFFENSES THAT CONSTITUTE SERIOUS ACTS OF VIOLENCE
10 AGAINST A PERSON AT A CHURCH OR OTHER PLACE OF
11 WORSHIP; AND FOR OTHER PURPOSES.
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Subtitle

14 TO CREATE AN ADDITIONAL TERM OF
15 IMPRISONMENT FOR OFFENSES THAT CONSTITUTE
16 SERIOUS ACTS OF VIOLENCE AGAINST A PERSON
17 AT A CHURCH OR OTHER PLACE OF WORSHIP.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code Title 5, Chapter 4, Subchapter 7, is amended
24 to add an additional section to read as follows:

25 5-4-707. Additional term of imprisonment for offense constituting
26 violence against church or other place of worship.

27 (a) As used in this section, "serious felony involving violence"
28 means:

- 29 (1) Murder in the first degree, § 5-10-102;
30 (2) Murder in the second degree, § 5-10-103;
31 (3) Battery in the first degree, § 5-13-201;
32 (4) Aggravated assault, § 5-13-204;
33 (5) Terroristic threatening, § 5-13-301, if a felony;
34 (6) Terroristic act, § 5-13-310;
35 (7) Causing a catastrophe, § 5-38-202(a);
36 (8) Arson, § 5-38-301;



1 (9) Terrorism, § 5-54-205;

2 (10) A felony offense under § 5-54-201;

3 (11) Unlawful discharge of a firearm from a vehicle, § 5-74-107;

4 (12) Criminal use of prohibited weapons, § 5-73-104, involving
 5 an activity making it a Class B felony; or

6 (13) A felony attempt, solicitation, or conspiracy to commit an
 7 offense listed in this subsection, if the attempt, solicitation, or
 8 conspiracy itself is a felony.

9 (b) A person is subject to an additional term of imprisonment under
 10 this section if the person:

11 (1) Purposely selected the victim of an offense committed by the
 12 person because the victim was present on the grounds of or in a church or
 13 other place or worship at the time of the offense; and

14 (2) Committed a serious felony involving violence against the
 15 victim.

16 (c) If an additional term of imprisonment is sought under this
 17 section, the information or indictment shall include:

18 (1) That the additional term of imprisonment under this section
 19 is being sought; and

20 (2) The allegations supporting the imposition of the additional
 21 term of imprisonment under this section.

22 (d) The additional term of imprisonment under this section is for a
 23 minimum of one (1) year but no more than ten (10) years in the Department of
 24 Correction.

25 (e) The additional term of imprisonment under this section is
 26 consecutive to any other sentence imposed.

27 (f) A person receiving an additional term of imprisonment under this
 28 section is not eligible for early release on parole or community correction
 29 transfer for the additional term of imprisonment.

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 32 **APPROVED: 4/16/19**