

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

A Bill

ACT 970 OF 1997
HOUSE BILL 2047

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5 By: Representative Lynn
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For An Act To Be Entitled

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9 "AN ACT TO AMEND ARKANSAS CODE 16-42-101 PERTAINING TO THE
10 ADMISSIBILITY OF EVIDENCE OF A VICTIMS PRIOR SEXUAL
11 CONDUCT; AND FOR OTHER PURPOSES."
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Subtitle

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14 "AMEND ARKANSAS CODE 16-42-101
15 PERTAINING TO THE ADMISSIBILITY OF
16 EVIDENCE OF A VICTIMS PRIOR SEXUAL
17 CONDUCT."
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code 16-42-101(b) is amended to read as follows:

22 "(b) In any criminal prosecution under ~~§§ 5-14-103 -- 5-14-110~~ 5-14-101
23 et seq. or 5-26-202, or for criminal attempt to commit, criminal solicitation
24 to commit, or criminal conspiracy to commit an offense defined in any of those
25 sections, opinion evidence, reputation evidence, or evidence of specific
26 instances of the victim's prior sexual conduct with the defendant or any other
27 person, evidence of a victim's prior allegations of sexual conduct with the
28 defendant or any other person, which allegations the victim asserts to be
29 true, or evidence offered by the defendant concerning prior allegations of
30 sexual conduct by the victim with the defendant or any other person if the
31 victim denies making the allegations is not admissible by the defendant,
32 either through direct examination of any defense witness or through
33 cross-examination of the victim or other prosecution witness, to attack the
34 credibility of the victim, to prove consent or any other defense, or for any
35 other purpose."
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1 SECTION 2. All provisions of this act of a general and permanent nature
2 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
3 Revision Commission shall incorporate the same in the Code.

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5 SECTION 3. If any provision of this act or the application thereof to
6 any person or circumstance is held invalid, such invalidity shall not affect
7 other provisions or applications of the act which can be given effect without
8 the invalid provision or application, and to this end the provisions of this
9 act are declared to be severable.

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11 SECTION 4. All laws and parts of laws in conflict with this act are
12 hereby repealed.

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14 APPROVED:3-31-97

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