

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013

# A Bill

HOUSE BILL 1098

4  
5 By: Representative Harris

## For An Act To Be Entitled

8 AN ACT TO MODIFY THE DEFINITION OF "CHILD" UNDER THE  
9 CHILD MALTREATMENT ACT; AND FOR OTHER PURPOSES.

### Subtitle

12 TO MODIFY THE DEFINITION OF "CHILD" UNDER  
13 THE CHILD MALTREATMENT ACT.

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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 § 12-18-103(5), concerning the definition of  
20 child, is amended to read as follows:

21 (5) "Child" or "juvenile" means an individual who is from ~~birth~~  
22 the time a fetal heartbeat can be detected to eighteen (18) years of age;

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24 SECTION 2. Arkansas Code Title 12, Chapter 18, Subchapter 3, is  
25 amended to add an additional section to read as follows:

26 12-18-311. Reports of abuse of an unborn child.

27 (a) Under this section "abuse" is limited to abuse defined in § 12-18-  
28 103(2)(A)(vii)(f) and (g).

29 (b) A medical professional involved in the care of a pregnant woman  
30 shall contact the Child Abuse Hotline regarding suspected abuse of an unborn  
31 child.

32 (c) The Child Abuse Hotline shall accept a report of abuse to an  
33 unborn child if the reporter is a medical professional.

34 (d) It is an affirmative defense to prosecution for abuse under this  
35 section if the pregnant mother:

36 (1) Is not aware that she is pregnant; or



1                   (2) Has been advised by a medical professional that a substance  
2 is safe to consume during pregnancy.

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