

**Hall of the House of Representatives**  
90th General Assembly - Regular Session, 2015  
**Amendment Form**

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**Subtitle of House Bill No. 1376**

TO AMEND THE DEFINITION OF "PERSON" IN THE ARKANSAS CRIMINAL CODE; TO PROVIDE THAT  
ASSAULT AND BATTERY OFFENSES AGAINST A PERSON CAN BE COMMITTED AGAINST AN  
UNBORN CHILD.

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**Amendment No. 1 to House Bill No. 1376**

Amend House Bill No. 1376 as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. DO NOT CODIFY. Legislative intent.

The General Assembly encourages circuit judges and prosecuting attorneys to permit a woman charged under § 5-13-210 when the woman was carrying an unborn child in utero and the commission of the offense resulted in the death of or other injury to that unborn child to enter into substance abuse treatment and rehabilitation as opposed to being convicted and sentenced under § 5-13-210.

SECTION 2. Arkansas Code § 5-1-102(13)(B)(i)(a), concerning the definition of "person" in the Arkansas Criminal Code, is amended to read as follows:

(B)(i)(a) As used in §§ 5-10-101 – 5-10-105 and 5-13-210,  
"person" also includes an unborn child in utero at any stage of development."



The Amendment was read \_\_\_\_\_

By: Representative Bell

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Chief Clerk