

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.

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

A Bill

HOUSE BILL 1374

5 By: Representative Stewart
6 By: Senator Teague
7

For An Act To Be Entitled

10 AN ACT TO AMEND THE MILITARY CODE OF ARKANSAS TO
11 MAKE SEXUAL MISCONDUCT AND SEXUAL HARASSMENT
12 OFFENSES PUNISHABLE BY COURT MARTIAL; AND FOR
13 OTHER PURPOSES.
14

Subtitle

15 TO AMEND THE MILITARY CODE OF ARKANSAS
16 TO MAKE SEXUAL MISCONDUCT AND SEXUAL
17 HARASSMENT OFFENSES PUNISHABLE BY COURT
18 MARTIAL.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code Title 12, Chapter 64, Subchapter 8 is amended
25 to add additional sections to read as follows:

26 12-64-845. Sexual misconduct.

27 (a) Any person subject to this code who attempts or offers to cause
28 bodily harm to another person through sexual contact with unlawful force,
29 abuse of authority, or violence is guilty of sexual misconduct and shall be
30 punished as a court martial may direct.

31 (b) Whether the attempt or offer with or without consent is
32 consummated does not affect the conduct prescribed under this section.
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34 12-64-846. Sexual harassment.

35 Any person subject to this code shall be punished as a court martial
36 may direct if he:



1 (1) Engages in behavior that involves unwelcome sexual advances;

2 (2) Requests sexual favors; or

3 (3) Engages in other verbal or physical conduct of a sexual
4 nature if:

5 (A) Submission to or rejection of the conduct is made
6 either explicitly or implicitly a term or condition of a person's job, pay,
7 or career;

8 (B) Submission to or rejection of the conduct by a person
9 is used as a basis for career or employment decisions affecting that person;
10 or

11 (C) The conduct has the purpose or effect of unreasonably
12 interfering with a person's work performance or creates an intimidating,
13 hostile, or offensive working environment.

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