

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4  
5 By: Representative Love

# A Bill

HOUSE BILL 1809

## 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.

## Subtitle

15 TO CREATE AN ADDITIONAL TERM OF  
16 IMPRISONMENT FOR OFFENSES THAT CONSTITUTE  
17 SERIOUS ACTS OF VIOLENCE AGAINST A PERSON  
18 AT A CHURCH OR OTHER PLACE OF WORSHIP.

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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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