

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

# A Bill

HOUSE BILL 1896

5 By: Representative Lowery  
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## For An Act To Be Entitled

8 AN ACT CONCERNING THE DEFINITION OF "PHYSICALLY  
9 HELPLESS" AS THAT TERM IS USED IN REGARD TO SEXUAL  
10 OFFENSES IN THE ARKANSAS CRIMINAL CODE; AND FOR OTHER  
11 PURPOSES.  
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## Subtitle

14 CONCERNING THE DEFINITION OF "PHYSICALLY  
15 HELPLESS" AS THAT TERM IS USED IN REGARD  
16 TO SEXUAL OFFENSES IN THE ARKANSAS  
17 CRIMINAL CODE.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code § 5-14-101(7), concerning the definition of  
24 "physically helpless" as it is used in regard to sexual offenses in the  
25 Arkansas Criminal Code, is amended to read as follows:

26 (7) "Physically helpless" means that a person is:

- 27 (A) Unconscious or asleep;
  - 28 (B) Physically unable to communicate a lack of consent; or
  - 29 (C) Rendered unaware a sexual act is occurring;
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