

**ARKANSAS SENATE**  
83rd General Assembly - Regular Session, 2001  
**Amendment Form**

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**Subtitle of Senate Bill No. 35**

"AN ACT TO PROVIDE ENHANCED PENALTIES FOR CRIMINAL OFFENSES  
COMMITTED BECAUSE OF THE VICTIM'S RACE, COLOR, RELIGION, ETHNICITY,  
ANCESTRY, NATIONAL ORIGIN, SEXUAL ORIENTATION, GENDER, OR DISABILITY."

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**Amendment No. 2 to Senate Bill No. 35.**

Amend Senate Bill No. 35 as engrossed, S1/18/01:

Add Senator K. Smith as a cosponsor of the bill

AND

Page 2, line 5, delete "and"

AND

Page 2, delete line 7 and substitute the following:

"bisexuality; and

(4) "Purposely selects the victim" does not mean, and may not be proved by evidence, that a defendant's mere abstract beliefs or expressions were hostile or contrary to the victim's traits enumerated in Section 2 herein, or that a defendant is or was associated with a group opposed to the victim's traits enumerated in Section 2 herein, unless such belief, expression, or association was part of the chain of events leading to the criminal offense."

AND

Page 2, delete line 19 and substitute the following:

"(8) Gender, except for criminal offenses in Chapters 14 and 26 of Title 5 of the Arkansas Code; or"

AND

Page 2, line 24, delete "doubt that" and substitute "doubt at the sentencing phase of the bifurcated trial that"

**\* .RRS241\***

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_

By: Senator B. Walker

LH/RRS

RRS241

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Secretary