

Hall of the House of Representatives

86th General Assembly - Regular Session, 2007

Amendment Form

Subtitle of House Bill No. 2599

"TO AMEND ARKANSAS CODE 5-10-103 AND 5-10-104 CONCERNING THE OFFENSES
OF MURDER IN THE SECOND DEGREE AND MANSLAUGHTER BASED ON THE AGE
OF A CHILD VICTIM."

Amendment No. 1 to House Bill No. 2599.

Amend House Bill No. 2599 as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 5-10-103 is amended to read as follows:
5-10-103. Murder in the second degree.

(a) A person commits murder in the second degree if:

(1) The person knowingly causes the death of another person
under circumstances manifesting extreme indifference to the value of human
life; ~~or~~

(2) With the purpose of causing serious physical injury to
another person, the person causes the death of any person; or

(3) The person recklessly causes the death of a person fourteen
(14) years of age or younger at the time the murder is committed.

(b) Murder in the second degree is a Class A felony.

SECTION 2. Arkansas Code § 5-10-104(a), concerning the elements of the
offense of manslaughter, is amended to read as follows:

(a) A person commits manslaughter if:

(1)(A) The person causes the death of another person under
circumstances that would be murder, except that he or she causes the death
under the influence of extreme emotional disturbance for which there is
reasonable excuse.

(B) The reasonableness of the excuse is determined from
the viewpoint of a person in the defendant's situation under the
circumstances as he or she believes them to be;

(2) The person purposely causes or aids another person to commit
suicide;

(3) The person recklessly causes the death of another person; ~~or~~

(4) Acting alone or with one (1) or more persons:

(A) The person commits or attempts to commit a felony; and

(B) In the course of and in furtherance of the felony or



in immediate flight from the felony:

(i) The person or an accomplice negligently causes the death of any person; or

(ii) Another person who is resisting the felony or flight causes the death of any person; or

(5) The person negligently causes the death of a person fourteen (14) years of age or younger at the time the homicidal act is committed."

The Amendment was read _____

By: Representative Glidewell

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Chief Clerk