

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995
4 By: Representative Dietz

A Bill

HOUSE BILL 1591

For An Act To Be Entitled

"AN ACT TO ESTABLISH THE CRIME OF HOME INVASION AS A CLASS
Y FELONY; AND FOR OTHER PURPOSES."

Subtitle

"AN ACT TO ESTABLISH THE CRIME OF HOME
INVASION AS A CLASS Y FELONY."

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

SECTION 1. (a) A person who is not a law enforcement officer acting in the line of duty commits home invasion when without authority he or she knowingly enters the dwelling place of another when he or she knows or has reason to know that one or more persons is present or he or she knowingly enters the dwelling place of another and remains in such dwelling place until he or she knows or has reason to know that one or more persons is present and

(1) While armed with a deadly weapon as defined in Ark. Code 5-1-102 uses force or threatens the imminent use of force upon any person or persons within such dwelling place whether or not injury occurs, or

(2) Intentionally causes any injury to any person or persons within such dwelling place.

(b) It is an affirmative defense to a charge of home invasion that the accused who knowingly enters the dwelling place of another and remains in such dwelling place until he or she knows or has reason to know that one or more persons is present either immediately leaves such premises or surrenders to the person or persons lawfully present therein without either attempting to cause or causing serious bodily injury to any person present therein.

(c) Home invasion is a Class Y felony.

(d) Any person convicted under this act shall not be eligible for

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