

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

# A Bill

SENATE BILL 285

## For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED §§5-14-105 AND  
9 5-14-106 TO INCREASE THE PENALTIES FOR CARNAL ABUSE IN THE  
10 SECOND DEGREE AND CARNAL ABUSE IN THE THIRD DEGREE; AND  
11 FOR OTHER PURPOSES."

## Subtitle

14 "TO INCREASE THE PENALTIES FOR CARNAL  
15 ABUSE IN THE SECOND DEGREE AND CARNAL  
16 ABUSE IN THE THIRD DEGREE"

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

20 SECTION 1. Arkansas Code Annotated 5-14-105 is amended to read as  
21 follows:

22 "5-14-105. Carnal abuse in the second degree.

23 (a) A person commits carnal abuse in the second degree if he engages  
24 in sexual intercourse or deviate sexual activity with another person not his  
25 spouse who is incapable of consent because he is mentally defective or  
26 mentally incapacitated.

27 (b) Carnal abuse in the second degree is a Class C felony."

29 SECTION 2. Arkansas Code Annotated 5-14-106 is amended to read as  
30 follows:

31 "5-14-106. Carnal abuse in the third degree.

32 (a) A person commits carnal abuse in the third degree if, being twenty  
33 (20) years old or older, he engages in sexual intercourse or deviate sexual  
34 activity with another person not his spouse who is less than sixteen (16)  
35 years old.

1 (b) Carnal abuse in the third degree is a Class D felony."  
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3 SECTION 3. All provisions of this act of a general and permanent  
4 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
5 Code Revision Commission shall incorporate the same in the Code.  
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7 SECTION 4. If any provision of this act or the application thereof to  
8 any person or circumstance is held invalid, such invalidity shall not affect  
9 other provisions or applications of the act which can be given effect without  
10 the invalid provision or application, and to this end the provisions of this  
11 act are declared to be severable.  
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13 SECTION 5. All laws and parts of laws in conflict with this act are  
14 hereby repealed.  
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