

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995

A Bill

SENATE BILL 37

4 By: Senators Bookout, Edwards and Bell

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 5-14-108 TO EXPAND THE
9 DEFINITION OF SEXUAL ABUSE IN THE FIRST DEGREE; AND FOR
10 OTHER PURPOSES."

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Subtitle

12 "AN ACT TO AMEND ARKANSAS CODE 5-14-108
13 TO EXPAND THE DEFINITION OF SEXUAL ABUSE
14 IN THE FIRST DEGREE."
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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19 SECTION 1. Arkansas Code 5-14-108 is amended to read as follows:

20 "§ 5-14-108. Sexual abuse in the first degree.

21 (a) A person commits sexual abuse in the first degree if:

22 (1) He engages in sexual contact with another person by forcible
23 compulsion; or

24 (2) He engages in sexual contact with another person who is
25 incapable of consent because he is physically helpless; or

26 (3) Being eighteen (18) years old or older, he engages in sexual
27 contact with a person not his spouse who is less than fourteen (14) years
28 old; or

29 (4) He engages in sexual contact with a person who is less than
30 sixteen (16) years of age and who is incapable of consent because he is
31 mentally defective or mentally incapacitated; or

32 (5) He or she, being employed directly, or through contract with
33 a state agency or department, any municipal or county government, engages in
34 sexual contact, or encourages licentious behavior for the purpose of sexual
35 gratification with any person in the custody or under the supervision of that

1 governmental authority, consent of the person or offender not withstanding."

2 (b) Sexual abuse in the first degree is a Class C felony.

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4 SECTION 2. All provisions of this act of a general and permanent
5 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
6 Code Revision Commission shall incorporate the same in the Code.

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8 SECTION 3. If any provision of this act or the application thereof to
9 any person or circumstance is held invalid, such invalidity shall not affect
10 other provisions or applications of the act which can be given effect without
11 the invalid provision or application, and to this end the provisions of this
12 act are declared to be severable.

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14 SECTION 4. All laws and parts of laws in conflict with this act are
15 hereby repealed.

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