

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

A Bill

SENATE BILL 814

For An Act To Be Entitled

"AN ACT TO AMEND THE ARKANSAS CODE TO ENHANCE THE
PENALTIES FOR RESISTING ARREST AND ASSAULTING A POLICE
OFFICER; AND FOR OTHER PURPOSES.

Subtitle

"AN ACT TO AMEND THE ARKANSAS CODE TO
ENHANCE THE PENALTIES FOR RESISTING
ARREST AND ASSAULTING A POLICE OFFICER."

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

SECTION 1. Arkansas Code § 5-54-103(a) is amended to read as follows:

"(a)(1) A person commits the offense of resisting arrest if he
knowingly resists a person known by him to be a law enforcement officer
effecting an arrest;

(2) Resists, as used in this subsection, means using or
threatening to use physical force or any other means that creates a
substantial risk of physical injury to any person;

(3) It is no defense to a prosecution under this subsection that
the law enforcement officer lacked legal authority to make the arrest,
provided he was acting under color of his official authority;

(4) Resisting arrest is a Class B felony."

SECTION 2. A person commits battery of a police officer if the person
unlawfully causes physical injury to a police officer. Battery to a police
officer is a Class B felony.

SECTION 3. A person commits the offense of assaulting a police officer

1 if he engages in unlawful conduct which creates a substantial risk of
2 physical injury to the police officer. Assaulting a police officer is a
3 Class C felony.

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

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9 SECTION 5. If any provision of this act or the application thereof to
10 any person or circumstance is held invalid, such invalidity shall not affect
11 other provisions or applications of the act which can be given effect without
12 the invalid provision or application, and to this end the provisions of this
13 act are declared to be severable.

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15 SECTION 6. All laws and parts of laws in conflict with this act are
16 hereby repealed.

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