

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

HOUSE BILL 1745

4
5 By: Representative Hausam

For An Act To Be Entitled

9 "AN ACT TO MAKE IT A CLASS D FELONY FOR ANY PERSON WHO IS
10 IN CUSTODY OF A CRIMINAL DETENTION FACILITY OR LAW
11 ENFORCEMENT AGENCY OR OFFICER TO THROW, SPIT, OR OTHERWISE
12 PLACE ANY BODILY WASTE OR SECRETION ON ANY LAW ENFORCEMENT
13 OFFICER OR GUARD; AND FOR OTHER PURPOSES."

Subtitle

15 "TO MAKE IT A CLASS D FELONY FOR A
16 PERSON IN CUSTODY OF A CRIMINAL
17 DETENTION FACILITY OR A LAW ENFORCEMENT
18 OFFICER OR AGENCY TO THROW, SPIT, OR
19 OTHERWISE PLACE ANY BODILY WASTE ON AN
20 OFFICER OR GUARD."
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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25 SECTION 1. It is unlawful for any person who is in custody of any state
26 or local criminal detention facility or any law enforcement officer or agency
27 to intentionally spit, throw, or otherwise place or cause to be placed on any
28 officer or guard any blood, urine, feces, semen, saliva, nasal mucus, or other
29 bodily waste or secretion.

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31 SECTION 2. Any person violating the provisions of this act shall be
32 guilty of a Class D felony.

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34 SECTION 3. All provisions of this act of a general and permanent nature
35 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
36 Revision Commission shall incorporate the same in the Code.

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SECTION 4. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 5. All laws and parts of laws in conflict with this act are hereby repealed.