

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

As Engrossed: S1/30/97

A Bill

SENATE BILL 116

4
5 By: Senator Gordon
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For An Act To Be Entitled

8
9 "AN ACT TO AMEND ARK. CODE 5-13-202 TO REDEFINE THE CRIME
10 OF SECOND DEGREE BATTERY AS IT RELATES TO SCHOOL
11 EMPLOYEES; AND FOR OTHER PURPOSES."
12
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Subtitle

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15 "AN ACT TO AMEND ARK. CODE 5-13-202 TO
16 REDEFINE THE CRIME OF SECOND DEGREE
17 BATTERY AS IT RELATES TO SCHOOL
18 EMPLOYEES."
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Ark. Code §5-13-202 is amended to read as follows:
23 "§ 5-13-202. Battery in the second degree.

24 (a) A person commits battery in the second degree if:

25 (1) With the purpose of causing physical injury to another
26 person, he causes serious physical injury to any person;

27 (2) With the purpose of causing physical injury to another
28 person, he causes physical injury to any person by means of a deadly weapon
29 other than a firearm;

30 (3) He recklessly causes serious physical injury to another
31 person by means of a deadly weapon; or

32 (4) He intentionally or knowingly without legal justification
33 causes physical injury to one he knows to be:

34 (A) A law enforcement officer or fire fighter, while such
35 officer or fire fighter is acting in the line of duty;

36 (B) A teacher or other ~~person employed in any school, and~~

1 ~~the teacher or other employee is upon the grounds of the school or grounds~~
2 ~~adjacent thereto or is in any part of a building used for school~~
3 ~~purposes~~ school employee while acting in the *course of employment*;

4 (C) An individual sixty (60) years of age or older or
5 twelve (12) years of age or younger;

6 (D) An officer or employee of the state while the officer
7 or employee is acting in the performance of his lawful duty;

8 (E) A person certified as an emergency medical technician
9 as defined in § 20-13-202, or any other licensed or certified health care
10 professional, while performing emergency medical services;

11 (F) An individual who is incompetent as defined by § 5-25-
12 101(3).

13 (b) Battery in the second degree is a Class D felony."
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15 SECTION 2. All provisions of this act of a general and permanent nature
16 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
17 Revision Commission shall incorporate the same in the Code.
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19 SECTION 3. If any provision of this act or the application thereof to
20 any person or circumstance is held invalid, such invalidity shall not affect
21 other provisions or applications of the act which can be given effect without
22 the invalid provision or application, and to this end the provisions of this
23 act are declared to be severable.
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25 SECTION 4. All laws and parts of laws in conflict with this act are
26 hereby repealed.
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28 /s/Gordon
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