

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

As Engrossed: S2/20/97

A Bill

SENATE BILL 321

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

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9 "AN ACT TO AMEND ARKANSAS CODE 5-13-201 (c), 5-13-202 (b),
10 5-13-203 (b) TO ENHANCE THE PENALTY FOR BATTERY BASED ON
11 THE AGE OF THE VICTIM; AND FOR OTHER PURPOSES."
12

Subtitle

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14 "AN ACT TO ENHANCE THE PENALTY FOR
15 BATTERY BASED ON THE AGE OF THE VICTIM."
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code 5-13-201 (c), concerning battery in the first
21 degree, is amended to read as follows:

22 ~~(c)(1) Battery~~ If the victim was at least twelve (12) years of age,
23 battery in the first degree is a Class B felony.

24 (2) If the victim was under twelve (12) years of age but at least
25 six (6) years of age and the defendant was eighteen (18) years of age or
26 older, battery in the first degree is a Class A felony.

27 (3) If the victim was under six (6) years of age and the
28 defendant was eighteen (18) years of age or older, battery in the first degree
29 is a Class Y felony.
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31 SECTION 2. Arkansas Code 5-13-202 (b), concerning battery in the second
32 degree, is amended to read as follows:

33 ~~(b)(1) Battery~~ If the victim was at least twelve (12) years of age,
34 battery in the second degree is a Class D felony.

35 (2) If the victim was under twelve (12) years of age but at least
36 six (6) years of age and the defendant was eighteen (18) years of age or

1 older, battery in the second degree is a Class C felony.

2 (3) If the victim was under six (6) years of age and the
3 defendant was eighteen (18) years of age or older, battery in the second
4 degree is a Class B felony.

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6 SECTION 3. Arkansas Code 5-13-203 (b), concerning battery in the third
7 degree, is amended to read as follows:

8 ~~(b)(1) Battery~~ If the victim was at least twelve (12) years of age,
9 battery in the third degree is a Class A misdemeanor.

10 (2) If the victim was under twelve (12) years of age but at least
11 six (6) years of age and the defendant was eighteen (18) years of age or
12 older, battery in the third degree is a Class D felony.

13 (3) If the victim was under six (6) years of age and the
14 defendant was eighteen (18) years of age or older, battery in the third degree
15 is a Class C felony.

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

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21 SECTION 5. If any provision of this act or the application thereof to
22 any person or circumstance is held invalid, such invalidity shall not affect
23 other provisions or applications of the act which can be given effect without
24 the invalid provision or application, and to this end the provisions of this
25 act are declared to be severable.

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

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30 /s/Todd

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