

State of Arkansas
82nd General Assembly
Regular Session, 1999

A Bill

HOUSE BILL 1395

By: Representative T. Smith

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE § 12-12-1103(11) TO
INCLUDE BURGLARY AND BREAKING AND ENTERING AS VIOLENT
OFFENSES FOR THE DNA DETECTION OF SEXUAL AND VIOLENT
OFFENDERS ACT; AND FOR OTHER PURPOSES."

Subtitle

"TO AMEND ARKANSAS CODE § 12-12-1103(11)
TO INCLUDE BURGLARY AND BREAKING AND
ENTERING AS VIOLENT OFFENSES FOR THE DNA
DETECTION OF SEXUAL AND VIOLENT
OFFENDERS ACT."

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

SECTION 1. Arkansas Code 12-12-1103(11) is amended to read as follows:

"(11) 'Violent offense' means:

- (A) Murder - § 5-10-101, 5-10-102, or 5-10-103;
- (B) Manslaughter - § 5-10-104;
- (C) Robbery - § 5-12-102;
- (D) Aggravated robbery - § 5-12-103;
- (E) Battery in the first degree - § 5-13-201;
- (F) Battery in the second degree - § 5-13-202;
- (G) Aggravated assault - § 5-13-204;
- (H) Terroristic threatening in the first degree - § 5-13-301;
- (I) Domestic battering - §§ 5-26-303, 5-26-304, 5-26-305;
- (J) Aggravated assault on family or household member - § 5-

26-306;

(K) Engaging in a continuing criminal gang, organization, or enterprise - § 5-74-104;

(L) Kidnapping - § 5-11-102;

(M) False imprisonment in the first degree - § 5-11-103;

(N) Permanent detention or restraint - § 5-11-106;

(O) Residential Burglary - Commercial Burglary - §5-39-201,

(P) Breaking or Entering - §5-39-202,

~~(Q)~~ (Q) An attempt, solicitation, or conspiracy to commit any of these enumerated offenses; or

~~(P)~~ (R) A violation of any former law of this state which is substantially equivalent to any of the offenses enumerated in this subdivision (11). "

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

SECTION 3. 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 4. All laws and parts of laws in conflict with this act are hereby repealed.