

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999

As Engrossed: H3/19/99

A Bill

HOUSE BILL 2194

4
5 By: Representatives Womack, Shoffner, Lynn

For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 5-10-105 PERTAINING TO
10 VEHICULAR HOMICIDE; AND FOR OTHER PURPOSES."

Subtitle

13 "AN ACT TO AMEND ARKANSAS CODE 5-10-105
14 PERTAINING TO VEHICULAR HOMICIDE."

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

19 SECTION 1. Arkansas Code 5-10-105(a) is amended to read as follows:
20 "5-10-105. Negligent homicide.

21 (a)(1) A person commits negligent homicide if he negligently causes the
22 death of another person, not constituting murder or manslaughter, as a result
23 of operating a vehicle, an aircraft, or a watercraft:

24 (A) While intoxicated; or

25 (B) If at that time there is one-tenth of one percent
26 (0.10%) or more by weight of alcohol in the person's blood as determined by a
27 chemical test of the person's blood, urine, breath, or other bodily *substance*.

28 (2) A person who violates subdivision (a)(1) of this section is
29 guilty of a ~~Class D felony~~ Class C felony.

30 (b)(1) A person commits negligent homicide if he negligently causes the
31 death of another person.

32 (2) A person who violates subdivision (b)(1) of this section is
33 guilty of a Class A misdemeanor.

34 (c) For the purpose of this section, "intoxicated" means influenced or
35 affected by the ingestion of alcohol, a controlled substance, any intoxicant,
36 or any combination thereof to such a degree that the driver's reactions, motor

1 skills, and judgment are substantially altered and the driver, therefore,
2 constitutes a clear and substantial danger of physical injury or death to
3 himself and other motorists or pedestrians.”

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

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16 hereby repealed.

17 */s/ Womack, et al*

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