

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  
4

*As Engrossed: H3/18/99 S4/9/99*

## A Bill

HOUSE BILL 2279

5 By: Representative J. Lewellen  
6  
7

### For An Act To Be Entitled

9 "AN ACT TO INCREASE THE PENALTIES FOR DOMESTIC ABUSE;  
10 AND FOR OTHER PURPOSES. "

### Subtitle

13 "AN ACT TO INCREASE THE PENALTIES FOR  
14 DOMESTIC ABUSE. "

15  
16  
17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
18

19 SECTION 1. *Arkansas Code 5-26-305 is amended to read as follows:*

20 *"5-26-305. Domestic battering in the third degree.*

21 *(a) A person commits domestic battering in the third degree if:*

22 *(1) With the purpose of causing physical injury to a family or*  
23 *household member, a person causes physical injury to a family or household*  
24 *member; or*

25 *(2) A person recklessly causes physical injury to a family or*  
26 *household member; or*

27 *(3) A person negligently causes physical injury to a family or*  
28 *household member by means of a deadly weapon; or*

29 *(4) A person purposely causes stupor, unconsciousness, or*  
30 *physical or mental impairment or injury to a family or household member by*  
31 *administering to a family or household member, without the family or household*  
32 *member's consent, any drug or other substance.*

33 *(b) Domestic battering in the third degree is a ~~Class A misdemeanor~~*  
34 *misdemeanor punishable by a fine not to exceed two thousand dollars (\$2,000)*  
35 *and imprisonment not to exceed twelve (12) months; however, if the person has*  
36 *previously been convicted or found guilty of domestic battering in the first,*

1 *second, or third degree, or wife battering in the first, second, or third*  
2 *degree, domestic battering in the third degree is a Class D felony."*

3  
4 SECTION 2. All provisions of this act of a general and permanent nature  
5 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
6 Revision Commission shall incorporate the same in the Code.

7  
8 SECTION 3. If any provision of this act or the application thereof to  
9 any person or circumstance is held invalid, such invalidity shall not affect  
10 other provisions or applications of the act which can be given effect without  
11 the invalid provision or application, and to this end the provisions of this  
12 act are declared to be severable.

13  
14 SECTION 4. All laws and parts of laws in conflict with this act are  
15 hereby repealed.

16 */s/ J. Lewellen*

17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36