

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

A Bill

SENATE BILL 940

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

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9 "AN ACT TO AMEND ARKANSAS CODE 5-13-202 PERTAINING TO
10 THE CRIMINAL OFFENSE OF SECOND DEGREE BATTERY; AND FOR
11 OTHER PURPOSES. "

Subtitle

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14 "TO AMEND THE LAW PERTAINING TO THE
15 CRIMINAL OFFENSE OF SECOND DEGREE
16 BATTERY. "

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

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21 SECTION 1. Arkansas Code § 5-13-202 is amended to read as follows:

22 "5-13-202. Battery in the second degree.

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

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

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

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

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

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

36 (B) A teacher or other school employee while acting in the

1 course of employment;

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

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

6 (E) A person certified as an emergency medical technician
7 as defined in § 20-13-202, or any other licensed or certified health care
8 professional, while performing ~~emergency medical services~~ his or her duties;

9 (F) An individual who is incompetent as defined by § 5-25-
10 101(3).

11 (b) Battery in the second degree is a Class D felony."

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

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17 SECTION 3. If any provision of this act or the application thereof to
18 any person or circumstance is held invalid, such invalidity shall not affect
19 other provisions or applications of the act which can be given effect without
20 the invalid provision or application, and to this end the provisions of this
21 act are declared to be severable.

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

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