

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: H2/8/99

A Bill

SENATE BILL 96

5 By: Senator Gordon
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For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE § 5-13-202 TO INCLUDE
10 CAUSING PHYSICAL INJURY TO PHYSICIANS AND OTHER HEALTH
11 CARE PROVIDERS IN THE DEFINITION OF BATTERY IN THE
12 SECOND DEGREE; AND FOR OTHER PURPOSES."

Subtitle

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14 "TO INCLUDE CAUSING PHYSICAL INJURY TO
15 PHYSICIANS AND OTHER HEALTH CARE
16 PROVIDERS IN THE DEFINITION OF BATTERY
17 IN THE SECOND DEGREE."
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code 5-13-202 is amended to read as follows:
24 "5-13-202. Battery in the second degree.

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

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

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

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

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

35 (A) A law enforcement officer, fire fighter, or employee of
36 a correctional facility, while such officer, fire fighter, or correctional

1 facility employee is acting in the line of duty;

2 (B) A teacher or other school employee while acting in the
3 course of employment;

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

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

8 (E) A physician, a person certified as an emergency medical
9 technician as defined in § 20-13-202, or any other a licensed or certified
10 health care professional or any other health care provider, while performing
11 medical treatment, emergency medical services or while in the course of other
12 employment relating to his or her medical training;

13 (F) An individual who is incompetent as defined by § 5-25-
14 101(3).

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

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17 SECTION 2. 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 3. 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 4. All laws and parts of laws in conflict with this act are
28 hereby repealed.

29 /s/ Gordon