

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001

A Bill

HOUSE BILL 2530

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5 By: Representative Hutchinson
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For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE 5-14-108 TO EXPAND
10 THE DEFINITION OF SEXUAL ABUSE IN THE FIRST
11 DEGREE TO INCLUDE A MEMBER OF THE CLERGY WHO
12 EXPLOITS A PERSON'S EMOTIONAL DEPENDENCY; AND FOR
13 OTHER PURPOSES.
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Subtitle

15 AN ACT TO AMEND ARKANSAS CODE 5-14-108
16 TO EXPAND THE DEFINITION OF SEXUAL ABUSE
17 IN THE FIRST DEGREE TO INCLUDE A MEMBER
18 OF THE CLERGY WHO EXPLOITS A PERSON'S
19 EMOTIONAL DEPENDENCY.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code 5-14-108 is amended to read as follows:
26 5-14-108. Sexual abuse in the first degree.

27 (a) A person commits sexual abuse in the first degree if:

28 (1) He engages in sexual contact with another person by forcible
29 compulsi on; or

30 (2) He engages in sexual contact with another person who is
31 incapable of consent because he is physically helpless; or

32 (3) He engages in sexual contact with another person, not his
33 spouse, who is a patient or resident of a hospital, nursing home, human
34 development center, or other similar facility, and who is incapable of
35 consent because he is mentally defective or mentally incapacitated; or

36 (4) Being eighteen (18) years old or older, he engages in sexual

1 contact with a person not his spouse who is less than fourteen (14) years
2 old; or

3 (5) He engages in sexual contact with a person who is less than
4 sixteen (16) years of age and who is incapable of consent because he is
5 mentally defective or mentally incapacitated; or

6 (6) The person is a member of the clergy who causes the other
7 person to submit to sexual contact or participate in sexual contact by
8 exploiting the other person's emotional dependency on the member of the
9 clergy's professional character as a spiritual adviser.

10 (b) Sexual abuse in the first degree is a Class C felony.

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