1   State of Arkansas   *As Engrossed: S2/01/01 S2/20/01 H3/14/01*

A Bill

2   83rd General Assembly

3   Regular Session, 2001   SENATE BILL   11

4

5   By: Senator DeLay

6

7

8   **For An Act To Be Entitled**

9   *AN ACT TO ESTABLISH THE OFFENSE OF COMMUNICATING*

10   *A DEATH THREAT CONCERNING A SCHOOL EMPLOYEE OR*

11   *STUDENT; AND FOR OTHER PURPOSES.*

12

13

14   **Subtitle**

15   *TO ESTABLISH THE OFFENSE OF COMMUNICATING A*

16   *DEATH THREAT CONCERNING A SCHOOL EMPLOYEE*

17   *OR STUDENT.*

18

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

20

21   SECTION 1.   (a)   A person commits the offense of communicating a death

22   threat concerning a school employee or student if:

23   (1)   The person communicates to any other person a threat to cause

24   the death of a school employee or student;

25   (2)   The threat involves the use of a firearm or other deadly

26   weapon;

27   (3)   A reasonable person would believe the person making the

28   threat intends to carry out the threat;

29   (4)   The person making the threat purposely engaged in conduct

30   that constitutes a substantial step in a course of conduct intended to

31   culminate in the commission of the threatened act; and

32   (5)   There is a close temporal relationship between the threatened

33   act and the substantial step.

34   (b)   Conduct is not a substantial step under this section unless it is

35   strongly corroborative of the person's criminal purpose.

36   (c)   Communicating a death threat concerning a school employee or

CDS005

1   *student is a Class D felony.*

2

3   *SECTION 2.   For purposes of this act, "school" means any:*

4   *(1) Elementary, junior high, or high school;*

5   *(2) Technical institute or post-secondary vocational-technical*

6   *school; or*

7   *(3) Two (2) or four (4) year college or university.*

8

9

10

11   */s/ DeLay*

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36