

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
4

As Engrossed: H3/23/01

A Bill

SENATE BILL 964

5 By: Senator Critcher
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For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE 5-27-221 TO
10 INCREASE THE PENALTY FOR PERMITTING THE ABUSE OF
11 A CHILD; TO AMEND ARKANSAS CODE 5-14-120 TO
12 INCREASE THE PENALTY FOR VIOLATION OF A MINOR IN
13 THE FIRST DEGREE; AND FOR OTHER PURPOSES.
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Subtitle

15 TO AMEND ARKANSAS CODE 5-27-221 TO
16 INCREASE THE PENALTY FOR PERMITTING THE
17 ABUSE OF A CHILD AND TO AMEND ARKANSAS
18 CODE 5-14-120 TO INCREASE THE PENALTY
19 FOR VIOLATION OF A MINOR IN THE FIRST
20 DEGREE.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code 5-27-221 is amended to read as follows:

27 5-27-221. Permitting abuse of a child.

28 (a)(1) A person commits the offense of permitting abuse of a child if,
29 being a parent, guardian, or person legally charged with the care or custody
30 of a child, he recklessly fails to take action to prevent the abuse of a
31 child who is less than eleven (11) years old.

32 (2) It is a defense to a prosecution for the offense of
33 permitting abuse of a child if the parent, guardian, or person legally
34 charged with the care or custody of the child takes immediate steps to end
35 the abuse of the child, including prompt notification of medical or law
36 enforcement authorities, upon first knowing or having good reason to know

1 that abuse has occurred.

2 (3) Permitting abuse of a child is a Class ~~C~~ B felony if the
3 abuse of the child consisted of sexual intercourse or deviate sexual
4 activity, or caused serious physical injury or death to the child.

5 (4) Permitting abuse of a child is a Class ~~A-misdemeanor~~ D
6 felony if the abuse of the child consisted of sexual contact or caused
7 *serious* physical injury to the child.

8 (b) For the purposes of this section, "abuse" means any *serious*
9 physical injury inflicted on a child other than by accidental means or any
10 act that involves sexual molestation or exploitation.

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12 SECTION 2. Arkansas Cod 5-14-120 is amended to read as follow:

13 5-14-120. Violation of a minor in the first degree.

14 (a) A person commits the offense of violation of a minor in the first
15 degree if he engages in sexual intercourse or deviate sexual activity with
16 another person not his spouse, who is more than thirteen (13) years of age
17 and less than eighteen (18) years of age, and the actor is the minor's
18 guardian, an employee in the minor's school or school district, a temporary
19 caretaker, or a person in a position of trust or authority of the minor.

20 (b) Violation of a minor in the first degree is a Class ~~C~~ B felony.

21 /s/ Critcher

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