

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 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: H3/27/07

A Bill

HOUSE BILL 2599

5 By: Representatives Glidewell, Berry, Lamoureux
6 By: Senator Altes
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For An Act To Be Entitled

9
10 AN ACT TO AMEND ARKANSAS CODE §§ 5-10-103 AND 5-
11 10-104 CONCERNING THE OFFENSES OF MURDER IN THE
12 SECOND DEGREE AND MANSLAUGHTER BASED ON THE AGE
13 OF A CHILD VICTIM; AND FOR OTHER PURPOSES.
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Subtitle

15
16 TO AMEND ARKANSAS CODE §§ 5-10-103 AND
17 5-10-104 CONCERNING THE OFFENSES OF
18 MURDER IN THE SECOND DEGREE AND
19 MANSLAUGHTER BASED ON THE AGE OF A CHILD
20 VICTIM.
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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 § 5-10-103 is amended to read as follows:*
26 *5-10-103. Murder in the second degree.*

27 *(a) A person commits murder in the second degree if:*

28 *(1) The person knowingly causes the death of another person*
29 *under circumstances manifesting extreme indifference to the value of human*
30 *life; ~~or~~*

31 *(2) With the purpose of causing serious physical injury to*
32 *another person, the person causes the death of any person; or*

33 *(3) The person recklessly causes the death of a person fourteen*
34 *(14) years of age or younger at the time the murder is committed.*

35 *(b) Murder in the second degree is a Class A felony.*
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1 SECTION 2. Arkansas Code § 5-10-104(a), concerning the elements of the
2 offense of manslaughter, is amended to read as follows:

3 (a) A person commits manslaughter if:

4 (1)(A) The person causes the death of another person under
5 circumstances that would be murder, except that he or she causes the death
6 under the influence of extreme emotional disturbance for which there is
7 reasonable excuse.

8 (B) The reasonableness of the excuse is determined from
9 the viewpoint of a person in the defendant's situation under the
10 circumstances as he or she believes them to be;

11 (2) The person purposely causes or aids another person to commit
12 suicide;

13 (3) The person recklessly causes the death of another person; ~~or~~

14 (4) Acting alone or with one (1) or more persons:

15 (A) The person commits or attempts to commit a felony; and

16 (B) In the course of and in furtherance of the felony or
17 in immediate flight from the felony:

18 (i) The person or an accomplice negligently causes
19 the death of any person; or

20 (ii) Another person who is resisting the felony or
21 flight causes the death of any person; or

22 (5) The person negligently causes the death of a person fourteen
23 (14) years of age or younger at the time the homicidal act is committed.

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25 /s/ Glidewell, et al
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