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	As Engrossed: H1/23/09		
2	87th General Assembly	A Bill		
3	Regular Session, 2009	HOUSE BI	LL 1039	
4				
5	By: Representative D. Creekmore			
6	By: Senator Broadway			
7				
8				
9	For A	An Act To Be Entitled		
10	AN ACT TO AMEND DOMESTIC BATTERING IN THE FIRST			
11	AND SECOND DEGRE	E; AND FOR OTHER PURPOSES.		
12				
13		Subtitle		
14	AN ACT TO AME	ND DOMESTIC BATTERING IN		
15	THE FIRST AND	SECOND DEGREE.		
16				
17				
18	BE IT ENACTED BY THE GENERAL AS	SSEMBLY OF THE STATE OF ARKANSAS:		
19				
20	SECTION 1. Arkansas Code § 5-26-303(a), concerning the offense of			
21	domestic battering in the first	degree, is amended to read as follows:)	
22				
23	(a) A person commits don	mestic battering in the first degree if:		
24	(1) With the purpo	ose of causing serious physical injury t	о а	
25	•	e person causes serious physical injury	to a	
26	family or household member by m	means of a deadly weapon;		
27		ose of seriously and permanently disfigu	_	
28	·	of destroying, amputating, or permanentl	•	
29		a family or household member's body, the	ıe	
30	person causes such an injury to	•		
31	•	uses serious physical injury to a family		
32	household member under circumst	tances manifesting extreme indifference	to the	
33	value of human life; or			
34	(4) <u>The person kno</u>	owingly causes serious physical injury t	<u>:o a</u>	
35	family or household member he o	or she knows to be sixty (60) years of a	ige or	
36	older or twelve (12) years of a	age or younger; or		

01-23-2009 09:32 BPG074

1	$\frac{(4)}{(5)}$ He or she commits any act of domestic battering as		
2	defined in subdivisions (a)(1) $-$ (3)(4) of this section or § 5-26-304 or § 5-		
3	26305 and, for conduct that occurred within the ten (10) years preceding th		
4	commission of the current offense, he or she has on two (2) previous		
5	occasions been convicted of any act of battery against a family or household		
6	member as defined by the laws of this state or by the equivalent laws of any		
7	other state or foreign jurisdiction.		
8			
9	SECTION 2. Arkansas Code § 5-26-304(a), concerning the offense of		
10	domestic battering in the second degree, is amended to read as follows:		
11			
12	(a) A person commits domestic battering in the second degree if:		
13	(1) With the purpose of causing physical injury to a family or		
14	household member, the person causes serious physical injury to a family or		
15	household member;		
16	(2) With the purpose of causing physical injury to a family or		
17	household member, the person causes physical injury to a family or household		
18	member by means of a deadly weapon; or		
19	(3) The person recklessly causes serious physical injury to a		
20	family or household member by means of a deadly weapon $\boldsymbol{\cdot \cdot \cdot \cdot}$ or		
21	(4) The person knowingly causes physical injury to a family or		
22	household member he or she knows to be sixty (60) years of age or older or		
23	twelve (12) years of age or younger.		
24			
25			
26	/s/ D. Creekmore		
27			
28			
29			
30			
31			
32			
33			
34			
35			
36			