

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 87th General Assembly
3 Regular Session, 2009
4

A Bill

HOUSE BILL 1396

5 By: Representative J. Edwards
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For An Act To Be Entitled

9 AN ACT TO MAKE THE OFFENSE OF BATTERY IN THE
10 SECOND DEGREE APPLICABLE TO THOSE WHO CAUSE
11 BODILY HARM TO ANIMAL CONTROL AND CODE
12 ENFORCEMENT OFFICERS; AND FOR OTHER PURPOSES.
13

Subtitle

15 TO MAKE THE OFFENSE OF BATTERY IN THE
16 SECOND DEGREE APPLICABLE TO THOSE WHO
17 CAUSE BODILY HARM TO ANIMAL CONTROL AND
18 CODE ENFORCEMENT OFFICERS.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 5-13-202 is amended to read as
24 follows:

25 5-13-202. Battery in the second degree.

26 (a) A person commits battery in the second degree if:

27 (1) With the purpose of causing physical injury to another
28 person, the person causes serious physical injury to any person;

29 (2) With the purpose of causing physical injury to another
30 person, the person causes physical injury to any person by means of a deadly
31 weapon other than a firearm;

32 (3) The person recklessly causes serious physical injury to
33 another person by means of a deadly weapon; or

34 (4) The person knowingly, without legal justification, causes
35 physical injury to a person he or she knows to be:

36 (A)(i) A law enforcement officer, firefighter, or employee



1 of a correctional facility while the law enforcement officer, firefighter,
2 code enforcement officer, or employee of a correctional facility is acting in
3 the line of duty.

4 (ii) As used in this subdivision (a)(4)(A) ~~7~~:

5 (a) ~~“employee~~ Employee of a correctional
6 facility” includes a person working under a professional services contract
7 with the Department of Correction, the Department of Community Correction, or
8 the Division of Youth Services of the Department of Human Services; and

9 (b)(1) “Code enforcement officer” means an
10 individual charged with the duty of enforcing a municipal code, municipal
11 ordinance, or municipal regulation as defined by a municipal code, municipal
12 ordinance, or municipal regulation.

13 (2) “Code enforcement officer” includes
14 a municipal animal control officer.

15 (B) A teacher or other school employee while acting in the
16 course of employment;

17 (C) An individual sixty (60) years of age or older or
18 twelve (12) years of age or younger;

19 (D) An officer or employee of the state while the officer
20 or employee of the state is acting in the performance of his or her lawful
21 duty;

22 (E) While performing medical treatment or emergency
23 medical services or while in the course of other employment relating to his
24 or her medical training:

25 (i) A physician;

26 (ii) A person certified as an emergency medical
27 technician, as defined in § 20-13-202;

28 (iii) A licensed or certified health care
29 professional; or

30 (iv) Any other health care provider; or

31 (F) An individual who is incompetent, as defined in § 5-
32 25-101.

33 (b) Battery in the second degree is a Class D felony.
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