

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

As Engrossed: H3/18/15

A Bill

HOUSE BILL 1376

5 By: Representative Bell
6

For An Act To Be Entitled

8 AN ACT TO AMEND THE DEFINITION OF "PERSON" IN THE
9 ARKANSAS CRIMINAL CODE; TO PROVIDE THAT ASSAULT AND
10 BATTERY OFFENSES AGAINST A PERSON CAN BE COMMITTED
11 AGAINST AN UNBORN CHILD; AND FOR OTHER PURPOSES.
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Subtitle

14 TO AMEND THE DEFINITION OF "PERSON" IN
15 THE ARKANSAS CRIMINAL CODE; TO PROVIDE
16 THAT ASSAULT AND BATTERY OFFENSES AGAINST
17 A PERSON CAN BE COMMITTED AGAINST AN
18 UNBORN CHILD.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 *SECTION 1. DO NOT CODIFY. Legislative intent.*

25 *The General Assembly encourages circuit judges and prosecuting*
26 *attorneys to permit a woman charged under § 5-13-210 when the woman was*
27 *carrying an unborn child in utero and the commission of the offense resulted*
28 *in the death of or other injury to that unborn child to enter into substance*
29 *abuse treatment and rehabilitation as opposed to being convicted and*
30 *sentenced under § 5-13-210.*
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32 *SECTION 2. Arkansas Code § 5-1-102(13)(B)(i)(a), concerning the*
33 *definition of "person" in the Arkansas Criminal Code, is amended to read as*
34 *follows:*

35 *(B)(i)(a) As used in §§ 5-10-101 – 5-10-105 and 5-13-210,*
36 *“person” also includes an unborn child in utero at any stage of development.*



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/s/Bell