

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

SENATE BILL 19

5 By: Senator G. Stubblefield
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For An Act To Be Entitled

8 AN ACT TO DETER ACTS OF VIOLENCE AGAINST A LAW
9 ENFORCEMENT OFFICER, A FIREFIGHTER, A FIRST
10 RESPONDER, OR A FAMILY MEMBER OF A LAW ENFORCEMENT
11 OFFICER, FIREFIGHTER, OR FIRST RESPONDER; TO CREATE A
12 SENTENCE ENHANCEMENT; AND FOR OTHER PURPOSES.
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Subtitle

15 TO DETER ACTS OF VIOLENCE AGAINST A LAW
16 ENFORCEMENT OFFICER, A FIREFIGHTER, A
17 FIRST RESPONDER, OR A FAMILY MEMBER OF A
18 LAW ENFORCEMENT OFFICER, FIREFIGHTER, OR
19 FIRST RESPONDER; AND TO CREATE A SENTENCE
20 ENHANCEMENT.
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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 § 5-4-701 is amended to add new definitions
27 to read as follows:

28 (3) "First responder" means a firefighter or a person employed
29 as an emergency medical provider; and

30 (4) "Law enforcement officer" includes without limitation a:

31 (A) Prosecuting attorney or a deputy prosecuting attorney;

32 (B) Code enforcement officer; and

33 (C) Corrections officer.
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35 SECTION 2. Arkansas Code Title 5, Chapter 4, Subchapter 7, is amended
36 to add an additional section to read as follows:



1 5-4-704. Sentence enhancement for offense committed because of
2 victim's or a victim's family's personal characteristics.

3 (a) A person is subject to an enhanced sentence under this section if
4 the person purposely selected the victim of an offense committed by the
5 person because of the victim's actual or perceived employment as a law
6 enforcement officer or first responder or because the victim was the actual
7 or perceived spouse or child of a law enforcement officer or first responder.

8 (b) If a sentence enhancement is sought under this section, the
9 information or indictment shall include:

10 (1) That the sentence enhancement under this section is being
11 sought; and

12 (2) The allegations supporting the imposition of the enhanced
13 sentence under this section.

14 (c) The sentence enhancement under this section is as follows:

15 (1) If the person is convicted of a misdemeanor, an additional
16 fine of not more than five hundred dollars (\$500) and an additional term of
17 imprisonment of up to six (6) months in the county jail, consecutive to any
18 other sentence; or

19 (2) If the person is convicted of a felony, an additional fine
20 of not more than five thousand dollars (\$5,000) and an additional term of
21 imprisonment of not more than five (5) years, consecutive to any other
22 sentence.

23 (d) The sentence enhancement under this section is not available if:

24 (1) The victim of the offense is a law enforcement officer or
25 first responder; and

26 (2) An element of the offense is that the victim is a law
27 enforcement officer or first responder.

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