

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

SENATE BILL 109

By: Senator Irvin
By: Representative Murdock

For An Act To Be Entitled

AN ACT TO AMEND THE OFFENSE OF BATTERY IN THE FIRST
DEGREE; TO DECLARE AN EMERGENCY; AND FOR OTHER
PURPOSES.

Subtitle

TO AMEND THE OFFENSE OF BATTERY IN THE
FIRST DEGREE; AND TO DECLARE AN
EMERGENCY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 5-13-201(c), concerning the penalties for
the offense of battery in the first degree, is amended to read as follows:

(c)(1) Except as provided in subdivisions (c)(2) and (3) of this
section, battery in the first degree is a Class B felony.

(2) Battery in the first degree is a Class Y felony under the
circumstances described in subdivision (a)(9) of this section.

(3) Battery in the first degree is a Class Y felony if the
injured person is a law enforcement officer or an employee of a correctional
facility, and is acting in the line of duty.

(d) As used in this section, "employee of a correctional facility"
means a person who is employed by, or working under a professional services
contract with, the Department of Correction, the Department of Community
Correction, or the Division of Youth Services of the Department of Human
Services.



1 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
2 General Assembly of the State of Arkansas that employees employed by, or who
3 are working under a professional services contract with, the Department of
4 Correction, the Department of Community Correction, or the Division of Youth
5 Services of the Department of Human Services are some of the most vulnerable
6 of all state employees given their close proximity to persons already
7 convicted of a felony offense; that violence against these employees should
8 not be tolerated; and that this act is immediately necessary because
9 protecting correctional employees from violence in the workplace is a
10 priority of the state. Therefore, an emergency is declared to exist, and this
11 act being immediately necessary for the preservation of the public peace,
12 health, and safety shall become effective on:

13 (1) The date of its approval by the Governor;

14 (2) If the bill is neither approved nor vetoed by the Governor,
15 the expiration of the period of time during which the Governor may veto the
16 bill; or

17 (3) If the bill is vetoed by the Governor and the veto is
18 overridden, the date the last house overrides the veto.