

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

HOUSE BILL 1839

By: Representative D. Hodges

For An Act To Be Entitled

AN ACT TO CREATE THE OFFENSE OF AGGRAVATED ASSAULT
AGAINST A PUBLIC TRANSIT EMPLOYEE; AND FOR OTHER
PURPOSES.

Subtitle

TO CREATE THE OFFENSE OF AGGRAVATED
ASSAULT AGAINST A PUBLIC TRANSIT
EMPLOYEE.

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

SECTION 1. Arkansas Code § 5-13-213 is amended to read as follows:

5-13-213. Aggravated assault against first responder or public transit employee.

(a) A person commits aggravated assault against a first responder or public transit employee if:

(1) The person knowingly causes physical contact with a first responder or public transit employee by spitting, throwing, or otherwise transferring bodily fluids, pathogens, or human waste onto the person of the first responder or public transit employee or by throwing an object such as a brick, rock, bottle, projectile, firework, chemical agent, or explosive device that a reasonable person knows or should know could cause physical injury if the object struck the first responder or public transit employee; and

(2) The physical contact:

(A) Results in serious physical injury to the first responder or public transit employee;



1 (B) Involves the use of a deadly weapon;

2 (C) Involves the display of a firearm in such a manner
3 that the display of the firearm creates a substantial danger of death or
4 serious physical injury to another person; or

5 (D) Involves strangulation or attempted strangulation.

6 (b) Aggravated assault against a first responder or public transit
7 employee is a Class C felony with a mandatory fine of ten thousand dollars
8 (\$10,000) and a mandatory minimum sentence of at least ninety (90) days'
9 imprisonment for which the defendant is required to serve at least ninety
10 (90) days before being released from imprisonment.