

Stricken language would be deleted from and underlined language would be added to present law.
Act 952 of the Regular Session

State of Arkansas
91st General Assembly
Regular Session, 2017

As Engrossed: S3/23/17
A Bill

HOUSE BILL 1578

By: Representative Hammer
By: Senator Collins-Smith

For An Act To Be Entitled

*AN ACT CONCERNING OFFENSES INVOLVING INTERFERENCE
WITH EMERGENCY MEDICAL SERVICES PERSONNEL OR FIRST
RESPONDERS; ESTABLISHING CIVIL LIABILITY UNDER
CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES.*

Subtitle

*CONCERNING OFFENSES INVOLVING
INTERFERENCE WITH EMERGENCY MEDICAL
SERVICES PERSONNEL OR FIRST RESPONDERS;
AND ESTABLISHING CIVIL LIABILITY.*

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

SECTION 1. Arkansas Code § 5-60-123 is amended to read as follows:

5-60-123. Obstruction or interference with emergency medical personnel
or first responder.

~~(a) It is unlawful for a person to obstruct or interfere with
emergency medical services personnel, a rescue technician, or any other
emergency medical care provider, whether governmental, private, or volunteer
emergency medical personnel, in the performance of his or her rescue mission.~~

~~(b)(1) Obstruction or interference with emergency medical personnel by
using or threatening to use physical force is a Class A misdemeanor.~~

~~(2) Obstruction or interference with emergency medical personnel
other than by physical force or threatening physical force is a Class C
misdemeanor.~~

(a) As used in this section:



(1) "Emergency medical services personnel" includes without limitation a governmental, private, or volunteer:

(A) Emergency medical services personnel;

(B) Rescue technician; or

(C) Emergency medical care provider; and

(2) "First responder" means a firefighter or a law enforcement officer.

(b) A person who knowingly obstructs or interferes with emergency medical services personnel or first responder in the performance of the emergency medical services personnel's or first responder's rescue mission upon conviction is guilty of:

(1) A Class A misdemeanor if the person uses or threatens to use physical force; or

(2) A Class C misdemeanor if otherwise committed.

(c) A person who purposely obstructs or interferes with emergency medical services personnel or first responder in the performance of the emergency medical services personnel's or first responder's rescue mission upon conviction is guilty of a Class D felony.

SECTION 2. Arkansas Code Title 16, Chapter 118, Subchapter 1, is amended to add an additional section to read as follows:

16-118-113. Civil action against a person who engages in a riot or disorderly conduct, or who obstructs or interferes with emergency medical services personnel or first responder.

(a) In addition to any other cause of action available to a person, a person who suffers injury to himself or herself or to his or her property as a direct or indirect result of:

(1) An act of obstructing or interfering with emergency medical personnel or first responder, § 5-60-123, if the act of obstructing or interfering with emergency medical personnel or first responder is a felony or Class A misdemeanor, may bring a civil action against a person who obstructed or interfered with the emergency medical personnel or first responder; or

(2) A riot or the activity of a rioter under § 5-71-201 et seq., may bring a civil action against the rioter or a person or entity that incites the riot.

(b) A court hearing a civil action under this section may award compensatory damages, punitive damages, costs, reasonable attorney fees, and expenses to a plaintiff who prevails in the civil action.

/s/Hammer

APPROVED: 04/05/2017