

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003

A Bill

HOUSE BILL 1646

4
5 By: Representative Bennett
6
7

For An Act To Be Entitled

8
9 AN ACT TO PROVIDE THAT THE MURDER OF A PERSON
10 SIXTY-TWO YEARS OF AGE OR OLDER IS AN AGGRAVATING
11 CIRCUMSTANCE FOR THE PURPOSE OF IMPOSING THE
12 DEATH PENALTY; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT TO PROVIDE THAT THE MURDER OF A
16 PERSON SIXTY-TWO YEARS OF AGE OR OLDER
17 IS AN AGGRAVATING CIRCUMSTANCE FOR THE
18 PURPOSE OF IMPOSING THE DEATH PENALTY.
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. Arkansas Code § 5-4-604(10), concerning aggravating
24 circumstances for purposes of imposing the death penalty, is amended to read
25 as follows:

26 (10) The capital murder was committed against a person whom the
27 defendant knew or reasonably should have known was especially vulnerable to
28 the attack because:

29 (A) Of either a temporary or permanent severe physical or
30 mental disability which would interfere with the victim's ability to flee or
31 to defend himself; ~~or~~

32 (B) The person was twelve (12) years of age or younger; ~~and~~

33 or

34 (C) The person was sixty-two (62) years of age or older.
35
36

