

State of Arkansas
89th General Assembly
Regular Session, 2013

A Bill

HOUSE BILL 1098

By: Representative Harris

For An Act To Be Entitled

AN ACT TO MODIFY THE DEFINITION OF "CHILD" UNDER THE
CHILD MALTREATMENT ACT; AND FOR OTHER PURPOSES.

Subtitle

TO MODIFY THE DEFINITION OF "CHILD" UNDER
THE CHILD MALTREATMENT ACT.

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

SECTION 1. Arkansas Code § 12-18-103(5), concerning the definition of child, is amended to read as follows:

(5) "Child" or "juvenile" means an individual who is from ~~birth~~
the time a fetal heartbeat can be detected to eighteen (18) years of age;

SECTION 2. Arkansas Code Title 12, Chapter 18, Subchapter 3, is amended to add an additional section to read as follows:

12-18-311. Reports of abuse of an unborn child.

(a) Under this section "abuse" is limited to abuse defined in § 12-18-103(2)(A)(vii)(f) and (g).

(b) A medical professional involved in the care of a pregnant woman shall contact the Child Abuse Hotline regarding suspected abuse of an unborn child.

(c) The Child Abuse Hotline shall accept a report of abuse to an unborn child if the reporter is a medical professional.

(d) It is an affirmative defense to prosecution for abuse under this section if the pregnant mother:

(1) Is not aware that she is pregnant; or



(2) Has been advised by a medical professional that a substance is safe to consume during pregnancy.