

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
90th General Assembly
Regular Session, 2015

As Engrossed: H3/18/15

A Bill

HOUSE BILL 1376

By: Representative Bell

For An Act To Be Entitled

AN ACT TO AMEND THE DEFINITION OF "PERSON" IN THE ARKANSAS CRIMINAL CODE; TO PROVIDE THAT ASSAULT AND BATTERY OFFENSES AGAINST A PERSON CAN BE COMMITTED AGAINST AN UNBORN CHILD; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE DEFINITION OF "PERSON" IN THE ARKANSAS CRIMINAL CODE; TO PROVIDE THAT ASSAULT AND BATTERY OFFENSES AGAINST A PERSON CAN BE COMMITTED AGAINST AN UNBORN CHILD.

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

SECTION 1. DO NOT CODIFY. Legislative intent.

The General Assembly encourages circuit judges and prosecuting attorneys to permit a woman charged under § 5-13-210 when the woman was carrying an unborn child in utero and the commission of the offense resulted in the death of or other injury to that unborn child to enter into substance abuse treatment and rehabilitation as opposed to being convicted and sentenced under § 5-13-210.

SECTION 2. Arkansas Code § 5-1-102(13)(B)(i)(a), concerning the definition of "person" in the Arkansas Criminal Code, is amended to read as follows:

(B)(i)(a) As used in §§ 5-10-101 – 5-10-105 and 5-13-210, "person" also includes an unborn child in utero at any stage of development.



/s/Bell