

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

State of Arkansas
91st General Assembly
Regular Session, 2017

As Engrossed: S1/18/17
A Bill

SENATE BILL 19

By: Senator G. Stubblefield

For An Act To Be Entitled

AN ACT TO DETER ACTS OF VIOLENCE AGAINST A LAW ENFORCEMENT OFFICER, A FIREFIGHTER, A FIRST RESPONDER, OR A FAMILY MEMBER OF A LAW ENFORCEMENT OFFICER, FIREFIGHTER, OR FIRST RESPONDER; TO CREATE A SENTENCE ENHANCEMENT; AND FOR OTHER PURPOSES.

Subtitle

TO DETER ACTS OF VIOLENCE AGAINST A LAW ENFORCEMENT OFFICER, A FIREFIGHTER, A FIRST RESPONDER, OR A FAMILY MEMBER OF A LAW ENFORCEMENT OFFICER, FIREFIGHTER, OR FIRST RESPONDER; AND TO CREATE A SENTENCE ENHANCEMENT.

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

SECTION 1. Arkansas Code § 5-4-701 is amended to add new definitions to read as follows:

(3) "First responder" means a firefighter or a person employed as an emergency medical provider; and

(4) "Law enforcement officer" includes without limitation a:

(A) Prosecuting attorney or a deputy prosecuting attorney;

(B) Code enforcement officer; and

(C) Corrections officer.

SECTION 2. Arkansas Code Title 5, Chapter 4, Subchapter 7, is amended to add an additional section to read as follows:



5-4-704. Sentence enhancement for offense committed because of victim's or a victim's family's personal characteristics.

(a) A person is subject to an enhanced sentence under this section if the person purposely selected the victim of an offense committed by the person because of the victim's actual employment as a law enforcement officer or first responder or because the victim was the actual spouse or child of a law enforcement officer or first responder.

(b) If a sentence enhancement is sought under this section, the information or indictment shall include:

(1) That the sentence enhancement under this section is being sought; and

(2) The allegations supporting the imposition of the enhanced sentence under this section.

(c) The sentence enhancement under this section is as follows:

(1) If the person is convicted of a misdemeanor, an additional fine of not more than five hundred dollars (\$500) and an additional term of imprisonment of up to six (6) months in the county jail, consecutive to any other sentence; or

(2) If the person is convicted of a felony, an additional fine of not more than five thousand dollars (\$5,000) and an additional term of imprisonment of not more than five (5) years, consecutive to any other sentence.

(d) The sentence enhancement under this section is not available if:

(1) The victim of the offense is a law enforcement officer or first responder; and

(2) An element of the offense is that the victim is a law enforcement officer or first responder.

/s/G. Stubblefield