

State of Arkansas  
92nd General Assembly  
Regular Session, 2019

# A Bill

HOUSE BILL 1809

By: Representative Love

## For An Act To Be Entitled

AN ACT TO CREATE AN ADDITIONAL TERM OF IMPRISONMENT  
FOR OFFENSES THAT CONSTITUTE SERIOUS ACTS OF VIOLENCE  
AGAINST A PERSON AT A CHURCH OR OTHER PLACE OF  
WORSHIP; AND FOR OTHER PURPOSES.

## Subtitle

TO CREATE AN ADDITIONAL TERM OF  
IMPRISONMENT FOR OFFENSES THAT CONSTITUTE  
SERIOUS ACTS OF VIOLENCE AGAINST A PERSON  
AT A CHURCH OR OTHER PLACE OF WORSHIP.

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

SECTION 1. Arkansas Code Title 5, Chapter 4, Subchapter 7, is amended to add an additional section to read as follows:

5-4-707. Additional term of imprisonment for offense constituting violence against church or other place of worship.

(a) As used in this section, "serious felony involving violence" means:

- (1) Murder in the first degree, § 5-10-102;
- (2) Murder in the second degree, § 5-10-103;
- (3) Battery in the first degree, § 5-13-201;
- (4) Aggravated assault, § 5-13-204;
- (5) Terroristic threatening, § 5-13-301, if a felony;
- (6) Terroristic act, § 5-13-310;
- (7) Causing a catastrophe, § 5-38-202(a);
- (8) Arson, § 5-38-301;



(9) Terrorism, § 5-54-205;

(10) A felony offense under § 5-54-201;

(11) Unlawful discharge of a firearm from a vehicle, § 5-74-107;

(12) Criminal use of prohibited weapons, § 5-73-104, involving an activity making it a Class B felony; or

(13) A felony attempt, solicitation, or conspiracy to commit an offense listed in this subsection, if the attempt, solicitation, or conspiracy itself is a felony.

(b) A person is subject to an additional term of imprisonment under this section if the person:

(1) Purposely selected the victim of an offense committed by the person because the victim was present on the grounds of or in a church or other place of worship at the time of the offense; and

(2) Committed a serious felony involving violence against the victim.

(c) If an additional term of imprisonment is sought under this section, the information or indictment shall include:

(1) That the additional term of imprisonment under this section is being sought; and

(2) The allegations supporting the imposition of the additional term of imprisonment under this section.

(d) The additional term of imprisonment under this section is for a minimum of one (1) year but no more than ten (10) years in the Department of Correction.

(e) The additional term of imprisonment under this section is consecutive to any other sentence imposed.

(f) A person receiving an additional term of imprisonment under this section is not eligible for early release on parole or community correction transfer for the additional term of imprisonment.