

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

State of Arkansas  
92nd General Assembly  
Regular Session, 2019

As Engrossed: S1/31/19 H3/13/19  
**A Bill**

SENATE BILL 109

By: Senator Irvin  
By: Representative Murdock

### For An Act To Be Entitled

AN ACT TO AMEND THE OFFENSE OF BATTERY IN THE FIRST DEGREE; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

### Subtitle

TO AMEND THE OFFENSE OF BATTERY IN THE FIRST DEGREE; AND TO DECLARE AN EMERGENCY.

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

SECTION 1. Arkansas Code § 5-13-201(c), concerning the penalties for the offense of battery in the first degree, is amended to read as follows:

(c)(1) Except as provided in subdivisions (c)(2) and (3) of this section, battery in the first degree is a Class B felony.

(2) Battery in the first degree is a Class Y felony under the circumstances described in subdivision (a)(9) of this section.

(3) Battery in the first degree is a Class Y felony if the injured person is a law enforcement officer or an employee of a correctional facility, and is acting in the line of duty.

(d) As used in this section, "employee of a correctional facility" means a person who is employed by or working under a professional services contract with the Department of Correction or the Department of Community Correction.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the



General Assembly of the State of Arkansas that employees employed by, or who are working under a professional services contract with, the Department of Correction, the Department of Community Correction, or the Division of Youth Services of the Department of Human Services are some of the most vulnerable of all state employees given their close proximity to persons already convicted of a felony offense; that violence against these employees should not be tolerated; and that this act is immediately necessary because protecting correctional employees from violence in the workplace is a priority of the state. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

*/s/Irvin*