

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

HOUSE BILL 1588

By: Representative Gazaway

For An Act To Be Entitled

AN ACT TO AMEND THE OFFENSES OF BATTERY IN THE SECOND
DEGREE AND DOMESTIC BATTERING IN THE SECOND DEGREE;
AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE OFFENSES OF BATTERY IN THE
SECOND DEGREE AND DOMESTIC BATTERING IN
THE SECOND DEGREE.

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

SECTION 1. Arkansas Code § 5-13-202(a)(3), concerning the manner in
which a person commits the offense of battery in the second degree, is
amended to read as follows:

(3) The person recklessly causes serious physical injury to
another person:

(A) By means of a deadly weapon; ~~or~~

(B) While operating or in actual physical control of a
motor vehicle or motorboat if at the time:

(i) The person is intoxicated; or

(ii) The alcohol concentration in the person's
breath or blood is eight-hundredths (0.08) or more based upon the definition
of alcohol concentration in § 5-65-204; or

(C) Who is four (4) years of age or younger; or

SECTION 2. Arkansas Code § 5-26-304(a)(3), concerning the manner in
which a person commits the offense of domestic battering in the second



1 degree, is amended to read as follows:

2 (3) The person recklessly causes serious physical injury to a
3 family or household member ~~by~~:

4 (A) By means of a deadly weapon; or

5 (B) Who is four (4) years of age or younger; or