

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

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

HOUSE BILL 1896

By: Representative Lowery

For An Act To Be Entitled

AN ACT CONCERNING THE DEFINITION OF "PHYSICALLY
HELPLESS" AS THAT TERM IS USED IN REGARD TO SEXUAL
OFFENSES IN THE ARKANSAS CRIMINAL CODE; AND FOR OTHER
PURPOSES.

Subtitle

CONCERNING THE DEFINITION OF "PHYSICALLY
HELPLESS" AS THAT TERM IS USED IN REGARD
TO SEXUAL OFFENSES IN THE ARKANSAS
CRIMINAL CODE.

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

SECTION 1. Arkansas Code § 5-14-101(7), concerning the definition of "physically helpless" as it is used in regard to sexual offenses in the Arkansas Criminal Code, is amended to read as follows:

- (7) "Physically helpless" means that a person is:
- (A) Unconscious or asleep;
 - (B) Physically unable to communicate a lack of consent; or
 - (C) Rendered unaware a sexual act is occurring;

