

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

HOUSE BILL 1588

5 By: Representative Gazaway
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For An Act To Be Entitled

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

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14 TO AMEND THE OFFENSES OF BATTERY IN THE
15 SECOND DEGREE AND DOMESTIC BATTERING IN
16 THE SECOND DEGREE.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 5-13-202(a)(3), concerning the manner in
22 which a person commits the offense of battery in the second degree, is
23 amended to read as follows:

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

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

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

29 (i) The person is intoxicated; or

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

33 (C) Who is four (4) years of age or younger; or
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35 SECTION 2. Arkansas Code § 5-26-304(a)(3), concerning the manner in
36 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

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