

1 State of Arkansas As Engrossed: S1/31/23 S2/1/23 H2/20/23

2 94th General Assembly

# A Bill

3 Regular Session, 2023

SENATE BILL 59

4

5 By: Senator L. Chesterfield

6 By: Representatives J. Richardson, Achor

7

8

## For An Act To Be Entitled

9 AN ACT CONCERNING THE USE OF PHYSICAL FORCE; TO AMEND  
10 THE LAW WITH RESPECT TO CIRCUMSTANCES THAT JUSTIFY  
11 THE USE OF PHYSICAL FORCE UPON ANOTHER PERSON; AND  
12 FOR OTHER PURPOSES.

13

14

15

## Subtitle

16

TO AMEND THE LAW WITH RESPECT TO  
17 CIRCUMSTANCES THAT JUSTIFY THE USE OF  
18 PHYSICAL FORCE UPON ANOTHER PERSON.

19

20

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

22

23 SECTION 1. Arkansas Code § 5-2-601, concerning definitions with regard  
24 to justifications for the use of physical force upon another person, is  
25 amended to add an additional subdivision to read as follows:

26 (10) "School employee" includes a person employed by a school  
27 under a written contract, which shall include a:

28 (A) Classified school employee; and

29 (B) Licensed school employee.

30

31 SECTION 2. Arkansas Code § 5-2-605(1), concerning the use of physical  
32 force upon another person that is considered justifiable, is amended to read  
33 as follows:

34 (1) A parent, ~~teacher~~ school employee, guardian, or other person  
35 entrusted with care and supervision of a minor or an incompetent person may  
36 use reasonable and appropriate physical force upon the minor or incompetent



1 person when and to the extent reasonably necessary to maintain discipline or  
2 to promote the welfare of the minor or incompetent person or if the parent,  
3 school employee, guardian, or other person entrusted with care and  
4 supervision of the minor or the incompetent person is authorized by § 5-2-606  
5 to use physical force on the minor or incompetent person;

6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36

*/s/L. Chesterfield*

**APPROVED: 2/27/23**