

INTERIM STUDY PROPOSAL 2023-050

1
2 State of Arkansas
3 94th General Assembly
4 Regular Session, 2023

A Bill

HOUSE BILL 1839

5
6 By: Representative D. Hodges

7 Filed with: House Committee on Judiciary
8 pursuant to A.C.A. §10-3-217.

9 **For An Act To Be Entitled**

10 AN ACT TO CREATE THE OFFENSE OF AGGRAVATED ASSAULT
11 AGAINST A PUBLIC TRANSIT EMPLOYEE; AND FOR OTHER
12 PURPOSES.

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15 **Subtitle**

16 TO CREATE THE OFFENSE OF AGGRAVATED
17 ASSAULT AGAINST A PUBLIC TRANSIT
18 EMPLOYEE.

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

22
23 SECTION 1. Arkansas Code § 5-13-213 is amended to read as follows:

24 5-13-213. Aggravated assault against first responder or public transit
25 employee.

26 (a) A person commits aggravated assault against a first responder or
27 public transit employee if:

28 (1) The person knowingly causes physical contact with a first
29 responder or public transit employee by spitting, throwing, or otherwise
30 transferring bodily fluids, pathogens, or human waste onto the person of the
31 first responder or public transit employee or by throwing an object such as a
32 brick, rock, bottle, projectile, firework, chemical agent, or explosive
33 device that a reasonable person knows or should know could cause physical
34 injury if the object struck the first responder or public transit employee;
35 and

36 (2) The physical contact:

1 (A) Results in serious physical injury to the first
2 responder or public transit employee;

3 (B) Involves the use of a deadly weapon;

4 (C) Involves the display of a firearm in such a manner
5 that the display of the firearm creates a substantial danger of death or
6 serious physical injury to another person; or

7 (D) Involves strangulation or attempted strangulation.

8 (b) Aggravated assault against a first responder or public transit
9 employee is a Class C felony with a mandatory fine of ten thousand dollars
10 (\$10,000) and a mandatory minimum sentence of at least ninety (90) days'
11 imprisonment for which the defendant is required to serve at least ninety
12 (90) days before being released from imprisonment.

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15 Referred requested by the Arkansas House of Representatives

16 Prepared by: DTP/SJA
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