

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001

A Bill

HOUSE BILL 1799

4
5 By: Representative Adams
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For An Act To Be Entitled

8
9 AN ACT TO CREATE THE CRIMINAL OFFENSE OF THREATENING A
10 JUDICIAL OFFICIAL; AND FOR OTHER PURPOSES.
11

Subtitle

12
13 AN ACT TO CREATE THE CRIMINAL OFFENSE OF
14 THREATENING A JUDICIAL OFFICIAL.
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16

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. As used in this act:

20 (1) "Judicial official" means a judge, juror, any person authorized to
21 hear evidence under oath, or any other court official or employee.

22 (2) "Immediate family" means spouse, child, parent, guardian, sibling,
23 and grandparent, whether related by blood, adoption, or marriage, or any other
24 person who regularly resides in the household.
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26 SECTION 2. (a) A person commits the offense of threatening a judicial
27 official if the person, directly or indirectly, utters or otherwise makes a
28 threat towards another person who the person knows or should know to be a
29 judicial official or any member of a judicial official's immediate family.

30 (b)(1) Threatening a judicial official is a Class B felony if the
31 person threatens to cause death or serious physical injury to a judicial
32 official or any member of a judicial official's immediate family, or threatens
33 substantial damage to property owned or possessed by a judicial official or
34 any member of a judicial official's immediate family.

35 (2) Threatening a judicial official is a Class C felony if the
36 person threatens to cause physical injury to a judicial official or any member

1 of a judicial official's immediate family or threatens damage to property
2 owned or possessed by a judicial official or any member of a judicial
3 official's immediate family.

4 (c) It is an affirmative defense to any prosecution under this act that
5 at the time the defendant engaged in the conduct, the threat did not relate to
6 the person's status or actions as a judicial official or member of the
7 immediate family of a judicial official.

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9 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General
10 Assembly of the State of Arkansas that judges and other judicial officials are
11 required to deal with violent offenders who often blame the court for their
12 plight; that these same violent offenders often resent the punishment imposed
13 on them by the court; that these same violent offenders have already shown a
14 propensity to commit violent acts; and that there have been numerous threats
15 made against judges and other judicial officials recently. Therefore, an
16 emergency is declared to exist and this act being immediately necessary for
17 the preservation of the public peace, health and safety shall become effective
18 on the date of its approval by the Governor. If the bill is neither approved
19 nor vetoed by the Governor, it shall become effective on the expiration of the
20 period of time during which the Governor may veto the bill. If the bill is
21 vetoed by the Governor and the veto is overridden, it shall become effective
22 on the date the last house overrides the veto.

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