

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

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5 By: Senator L. Chesterfield

6 By: Representatives J. Richardson, Achor

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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.

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Subtitle

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

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

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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.

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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;

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7 /s/L. Chesterfield
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