

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997
4

As Engrossed: S3/19/97

A Bill

ACT 1135 OF 1997
SENATE BILL 196

5 By: Senators Kennedy and Beebe
6
7

For An Act To Be Entitled

9 "AN ACT TO REQUIRE PERSONS CONVICTED OF MANUFACTURING
10 METHAMPHETAMINE TO SERVE SEVENTY PERCENT OF THEIR
11 SENTENCE; AND TO AMEND ARKANSAS CODE ANNOTATED
12 § 16-91-110(b)(3) TO DENY BAIL PENDING APPEAL TO PERSONS
13 CONVICTED OF MANUFACTURING METHAMPHETAMINE; AND FOR OTHER
14 PURPOSES."

Subtitle

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17 "TO REQUIRE PERSONS CONVICTED OF
18 MANUFACTURING METHAMPHETAMINE TO SERVE
19 SEVENTY PERCENT OF THEIR SENTENCE"
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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 Annotated § 16-91-110(b)(3) is amended to read
24 as follows:

25 "(3) When a criminal defendant has been found guilty, pleaded guilty,
26 or pleaded nolo contendere to a criminal offense of murder in the first
27 degree, § 5-10-102; rape, § 5-14-103; aggravated robbery, § 5-12-103; or
28 causing a catastrophe, § 5-38-202(a); or the criminal offense of kidnapping,
29 § 5-11-102, or arson, § 5-38-301, when classified as Class Y felonies, or
30 manufacturing methamphetamine in violation of § 5-64-401, and is sentenced to
31 death or a term of imprisonment, the court shall not release the defendant on
32 bail or otherwise pending appeal or for any reason."
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34 SECTION 2. (a) Any person who is found guilty, pleads guilty, or
35 pleads nolo contendere to manufacturing methamphetamine in violation of
36 § 5-64-401 and is committed to the Department of Correction for a term of
37 years, shall not be eligible for release on parole until a minimum of seventy

1 percent (70%) of the sentence shall have been served, not counting good-time
2 allowances, unless pardoned or the sentence is commuted to a shorter term of
3 years by the Governor, as provided by law.

4 (b) The provisions of this section shall expire on December 31, 2001.

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6 SECTION 3. All provisions of this act of a general and permanent nature
7 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
8 Revision Commission shall incorporate the same in the Code.

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10 SECTION 4. If any provision of this act or the application thereof to
11 any person or circumstance is held invalid, such invalidity shall not affect
12 other provisions or applications of the act which can be given effect without
13 the invalid provision or application, and to this end the provisions of this
14 act are declared to be severable.

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16 SECTION 5. All laws and parts of laws in conflict with this act are
17 hereby repealed.

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/s/Kennedy et al

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APPROVED:4-07-97

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