

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

As Engrossed: S3/13/25

A Bill

HOUSE BILL 1552

5 By: Representative Gazaway
6 By: Senator Gilmore
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING CERTAIN INCHOATE
10 OFFENSES RELATED TO FENTANYL; TO ESTABLISH THE
11 CLASSIFICATION FOR A CRIMINAL ATTEMPT, SOLICITATION,
12 OR CONSPIRACY FOR CERTAIN FENTANYL RELATED OFFENSES;
13 AND FOR OTHER PURPOSES.
14
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Subtitle

17 TO AMEND THE LAW CONCERNING CERTAIN
18 INCHOATE OFFENSES RELATED TO FENTANYL;
19 AND TO ESTABLISH THE CLASSIFICATION FOR
20 A CRIMINAL ATTEMPT, SOLICITATION, OR
21 CONSPIRACY FOR CERTAIN FENTANYL RELATED
22 OFFENSES.
23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 5-3-203(1), concerning criminal attempt
27 offenses that are classified as a Class Y felony, is amended to read as
28 follows:

29 (1) Class Y felony if the offense attempted is:

30 (A) ~~capital~~ Capital murder, § 5-10-101;

31 (B) Aggravated death by delivery, § 5-10-202;

32 (C) Predatory marketing of fentanyl to minors, § 5-64-421;

33 or

34 (D) Trafficking of fentanyl, § 5-64-440;
35

36 SECTION 2. Arkansas Code Annotated § 5-3-301(b), concerning the



1 classification of criminal solicitation offenses, is amended to add an
2 additional subdivision to read as follows:

- 3 (9) Class Y felony if the offense solicited is:
- 4 (A) Aggravated death by delivery, § 5-10-202;
- 5 (B) Predatory marketing of fentanyl to minors, § 5-64-421;
- 6 or
- 7 (C) Trafficking of fentanyl, § 5-64-440.

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9 SECTION 3. Arkansas Code Annotated § 5-3-404, concerning the
10 classification of criminal conspiracy offenses, is amended to add an
11 additional subdivision to read as follows:

- 12 (8) Class Y felony if an object of the conspiracy is commission
- 13 of:
- 14 (A) Aggravated death by delivery, § 5-10-202;
- 15 (B) Predatory marketing of fentanyl to minors, § 5-64-421;
- 16 or
- 17 (C) Trafficking of fentanyl, § 5-64-440.

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19 /s/Gazaway