

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

Call Item 7

A Bill

HOUSE BILL 1006

5 By: Representatives Gazaway, McAlindon
6 By: Senators Gilmore, Crowell, J. Dotson, Hester, Hill
7

For An Act To Be Entitled

9 AN ACT TO CLARIFY THE SENTENCING FOR A FELONY WITH A
10 FIREARM; AND FOR OTHER PURPOSES.
11

Subtitle

14 TO CLARIFY THE SENTENCING FOR A FELONY
15 WITH A FIREARM.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code § 16-90-120(e)(1)(A), concerning the
21 sentencing for a felony with a firearm and effective January 1, 2024, is
22 amended to read as follows:

23 (e)(1) For an offense committed on or after July 2, 2007, but before
24 January 1, 2024, notwithstanding any law allowing the award of meritorious
25 good time or any other law to the contrary, except as provided in subdivision
26 (e)(1)(B)(ii) of this section, any person who is sentenced under subsection
27 (a) of this section is not eligible for parole, transfer to post-release
28 supervision, or community correction transfer until the person serves:

29 (A) Seventy percent (70%) of the term of imprisonment to
30 which the person is sentenced under subsection (a) of this section if the
31 underlying felony was any of the following:

- 32 (i) Murder in the first degree, § 5-10-102;
- 33 (ii) Kidnapping that is a Class Y felony, § 5-11-102;
- 34 (iii) Aggravated robbery, § 5-12-103;
- 35 (iv) Rape, § 5-14-103;
- 36 (v) Causing a catastrophe, § 5-38-202(a);



- 1 (vi) Trafficking methamphetamine, § 5-64-440(b)(1);
- 2 (vii) Manufacturing methamphetamine, § 5-64-423(a) or
- 3 former § 5-64-401; or
- 4 (viii) Possession of drug paraphernalia with the
- 5 purpose to manufacture methamphetamine, former § 5-64-403(c)(5);

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7 SECTION 2. Arkansas Code § 16-90-120(g), concerning the sentencing for

8 a felony with a firearm and effective January 1, 2024, is amended to read as

9 follows:

10 (g) ~~Any person convicted under this section~~ For an offense committed

11 on or after January 1, 2024, any person who is sentenced under subsection (a)

12 of this section is not eligible for early release ~~or~~, including without

13 limitation parole, transfer to post-release supervision, or community

14 correction transfer, for the additional period of confinement.

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16 SECTION 3. EFFECTIVE DATE. This act is effective on and after January

17 1, 2024.

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20 **APPROVED: 9/14/23**

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