

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

Act 1141 of 2001
SENATE BILL 67

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5 By: Senator Critcher
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For An Act To Be Entitled

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9 AN ACT TO AMEND ARKANSAS CODE TITLE 5, CHAPTER 64,
10 SUBCHAPTER 4 TO ADD AN ADDITIONAL SECTION TO PROVIDE
11 FOR AN ENHANCED CRIMINAL PENALTY FOR PERSONS CONVICTED
12 OF MANUFACTURING METHAMPHETAMINE IN THE PRESENCE OF
13 MINOR CHILDREN; AND FOR OTHER PURPOSES.
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Subtitle

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16 TO PROVIDE FOR ENHANCED CRIMINAL PENALTY
17 FOR PERSONS CONVICTED OF MANUFACTURING
18 METHAMPHETAMINE IN THE PRESENCE OF
19 CHILDREN.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code Title 5, Chapter 64, Subchapter 4 is amended to
25 add an additional section to read as follows:

26 5-64-418. Manufacture of methamphetamine in the presence of minors -
27 Enhanced penalties.

28 (a) Any person who is found guilty of or who pleads guilty or nolo
29 contendere to manufacture of methamphetamine, § 5-64-401(a)(1)(i), or
30 possession of drug paraphernalia with the intent to manufacture
31 methamphetamine, § 5-64-403(c)(5) may be subject to an enhanced sentence of an
32 additional term of imprisonment of ten (10) years if the offense is committed:

33 (1) In the presence of a minor child or children who may or may
34 not be related to the person;

35 (2) With a minor child or children in the same home or building
36 where the methamphetamine was being manufactured or where the drug

1 paraphernalia to manufacture methamphetamine was in use or was in preparation
2 to be used; or

3 (3) With a minor child or children present in the same immediate
4 area or in the same vehicle at the time of the person's arrest for the
5 offense.

6 (b) The enhanced portion of the sentence shall be consecutive to any
7 other sentence imposed.

8 (c) Any person sentenced under this section shall not be eligible for
9 early release on parole for the enhanced portion of the sentence.

10 (d) For the purpose of this section "minor" means any person under
11 eighteen (18) years of age.

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14 APPROVED: 3/28/2001
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