

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representative McGee**

A Bill

HOUSE BILL

For An Act To Be Entitled

8 "AN ACT TO DEFINE CONDUCT CONSTITUTING THE CRIMINAL
9 OFFENSE OF ARMED CARJACKING; TO PRESCRIBE THE PENALTIES
10 THEREFOR; AND FOR OTHER PURPOSES."

Subtitle

13 "TO ESTABLISH ARMED CARJACKING AS A CRIMINAL OFFENSE AND
14 TO PRESCRIBE PENALTIES THEREFOR."

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

18 SECTION 1. A person, possessing a firearm as defined in § 5-1-102(6),
19 who takes a motor vehicle from the person or presence of another by force and
20 violence or by intimidation, or attempts to do so, is guilty of the crime of
21 armed carjacking, punishable as a Class Y felony.

23 SECTION 2. Arkansas Code § 5-10-101(a)(1) is hereby amended to read as
24 follows:

25 "(a) A person commits capital murder if:

26 (1) Acting alone or with one (1) or more other persons, he
27 commits or attempts to commit rape, kidnapping, vehicular piracy, armed
28 carjacking, robbery, burglary, a felony violation of the Uniform Controlled
29 Substances Act, §§ 5-64-101 - 5-64-608, involving an actual delivery of a
30 controlled substance, or escape in the first degree, and in the course of and
31 in furtherance of the felony, or in immediate flight therefrom, he or an
32 accomplice causes the death of any person under circumstances manifesting
33 extreme indifference to the value of human life; or"

35 SECTION 3. All provisions of this act of a general and permanent nature

1 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
2 Revision Commission shall incorporate the same in the Code.

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

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11 hereby repealed.

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