

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 84th General Assembly
3 Regular Session, 2003

A Bill

HOUSE BILL 2543

4
5 By: Representative Ledbetter
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For An Act To Be Entitled

8
9 AN ACT TO REPEAL THE SEVENTY PERCENT RULE; AND
10 FOR OTHER PURPOSES.
11

Subtitle

12
13 AN ACT TO REPEAL THE SEVENTY PERCENT
14 RULE.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code § 16-93-611 is repealed:

20 ~~16-93-611. Class Y felonies.~~

21 ~~(a)(1) Notwithstanding any law allowing the award of meritorious good~~
22 ~~time or any other law to the contrary, any person who is found guilty of or~~
23 ~~who pleads guilty or nolo contendere to:~~

24 ~~(A) Murder in the first degree, § 5-10-102;~~

25 ~~(B) Kidnapping, Class Y felony, § 5-11-102;~~

26 ~~(C) Aggravated robbery, § 5-12-103;~~

27 ~~(D) Rape, § 5-14-103;~~

28 ~~(E) Causing a catastrophe, § 5-38-202(a);~~

29 ~~(F) Manufacture of methamphetamine, § 5-64-401(a)(1)(i);~~

30 ~~or~~

31 ~~(G) Possession of drug paraphernalia with the intent to~~
32 ~~manufacture methamphetamine, § 5-64-403(c)(5)~~

33 ~~shall not, except as provided in subsection (b) of this section, be~~
34 ~~eligible for parole or community punishment transfer until the person serves~~
35 ~~seventy percent (70%) of the term of imprisonment to which the person is~~
36 ~~sentenced, including a sentence prescribed under § 5-4-501.~~



1 ~~(2)(A) The seventy percent (70%) provision of subdivision (a)(1)~~
2 ~~of this section has no application to any person who is found guilty of or~~
3 ~~pleads guilty or nolo contendere to kidnapping, Class B felony, § 5-11-102,~~
4 ~~regardless of the date of the offense.~~

5 ~~(B) Furthermore, the provisions of this section shall~~
6 ~~apply retroactively to all persons presently serving a sentence for~~
7 ~~kidnapping, Class B felony, § 5-11-102.~~

8 ~~(b) The sentencing judge, in his or her discretion, may waive~~
9 ~~subsection (a) of this section under the following circumstances:~~

- 10 ~~(1) The defendant was a juvenile at the time of the offense;~~
- 11 ~~(2) The juvenile was merely an accomplice to the offense; and~~
- 12 ~~(3) The offense occurred on or after July 28, 1995.~~

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