

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 2545

4  
5 By: Representative Ledbetter  
6  
7

## For An Act To Be Entitled

8  
9 AN ACT TO MAKE MANUFACTURE OF METHAMPHETAMINE  
10 OFFENDERS UNDER THE SEVENTY PERCENT RULE ELIGIBLE  
11 FOR GOOD TIME; AND FOR OTHER PURPOSES.  
12

## Subtitle

13  
14 AN ACT TO MAKE MANUFACTURE OF  
15 METHAMPHETAMINE OFFENDERS UNDER THE  
16 SEVENTY PERCENT RULE ELIGIBLE FOR GOOD  
17 TIME.  
18  
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
21

22 SECTION 1. Arkansas Code § 16-93-611 is amended to read as follows:  
23 16-93-611. Class Y felonies.

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

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

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

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

30 (D) Rape, § 5-14-103;

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

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

33 or

34 (G) Possession of drug paraphernalia with the intent to  
35 manufacture methamphetamine, § 5-64-403(c)(5)  
36



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

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

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

12 (3) The seventy percent (70%) provision under subdivision (a)(1)  
13 of this section shall include credit for the award of meritorious good time  
14 to any person who pleads guilty or nolo contendere to, or is found guilty of  
15 manufacture of methamphetamine, § 5-64-401(a)(1)(i), regardless of the date  
16 of the offense.

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

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

22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36