

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

As Engrossed: H3/19/25

A Bill

HOUSE BILL 1630

5 By: Representative Gazaway
6 By: Senator Gilmore
7

For An Act To Be Entitled

9 *AN ACT TO AMEND THE LAW CONCERNING CAPITAL MURDER,*
10 *MURDER IN THE FIRST DEGREE, AND MANSLAUGHTER; TO ADD*
11 *A MISDEMEANOR CONTROLLED SUBSTANCE OFFENSE TO THE*
12 *PREDICATE OFFENSES FOR CAPITAL MURDER, MURDER IN THE*
13 *FIRST DEGREE, AND MANSLAUGHTER; AND FOR OTHER*
14 *PURPOSES.*

Subtitle

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18 *TO ADD A MISDEMEANOR CONTROLLED*
19 *SUBSTANCE OFFENSE TO THE PREDICATE*
20 *OFFENSES FOR CAPITAL MURDER, MURDER IN*
21 *THE FIRST DEGREE, AND MANSLAUGHTER.*
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

25 SECTION 1. Arkansas Code § 5-10-101(a)(1), concerning predicate
26 felonies for capital murder, is amended to read as follows:

27 (1) Acting alone or with one (1) or more other persons:

28 (A) The person commits or attempts to commit:

29 (i) Terrorism, as defined in § 5-54-205;

30 (ii) Rape, § 5-14-103;

31 (iii) Kidnapping, § 5-11-102;

32 (iv) Vehicular piracy, § 5-11-105;

33 (v) Robbery, § 5-12-102;

34 (vi) Aggravated robbery, § 5-12-103;

35 (vii) Residential burglary, § 5-39-201(a);

36 (viii) Commercial burglary, § 5-39-201(b);



1 (ix) Aggravated residential burglary, § 5-39-204;
 2 (x) A ~~felony~~ violation of the Uniform Controlled
 3 Substances Act, §§ 5-64-101 – 5-64-508, involving an actual delivery of a
 4 controlled substance; or

5 (xi) First degree escape, § 5-54-110; and
 6 (B) In the course of and in furtherance of the ~~felony~~
 7 offense or in immediate flight from the ~~felony~~ offense, the person or an
 8 accomplice causes the death of a person under circumstances manifesting
 9 extreme indifference to the value of human life;

10
 11 *SECTION 2. Arkansas Code § 5-10-102(a)(1), concerning predicate felonies for*
 12 *murder in the first degree, is amended to read as follows:*

13 (1) *Acting alone or with one (1) or more other persons:*

14 (A) *The person commits or attempts to commit a felony or a*
 15 *violation of the Uniform Controlled Substance Act, §§ 5-64-101 – 5-64-508,*
 16 *involving an actual delivery of a controlled substance; and*

17 (B) *In the course of and in the furtherance of the ~~felony~~*
 18 *offense or in immediate flight from the ~~felony~~ offense, the person or an*
 19 *accomplice causes the death of any person under circumstances manifesting*
 20 *extreme indifference to the value of human life;*

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 22 *SECTION 3. Arkansas Code § 5-10-104(a)(4), concerning the predicate*
 23 *felonies for manslaughter, is amended to read as follows:*

24 (4) *Acting alone or with one (1) or more persons:*

25 (A) *The person commits or attempts to commit a felony or a*
 26 *violation of the Uniform Controlled Substance Act, §§ 5-64-101 – 5-64-508,*
 27 *involving an actual delivery of a controlled substance; and*

28 (B) *In the course of and in furtherance of the ~~felony~~*
 29 *offense or in immediate flight from the ~~felony~~:*

30 (i) *The person or an accomplice negligently causes*
 31 *the death of any person; or*

32 (ii) *Another person who is resisting the ~~felony~~*
 33 *offense or flight causes the death of any person.*

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 35 /s/Gazaway

36 **APPROVED: 4/14/25**