

Act 612 of the 1989 Regular Session.

Act 612

HB1288

By: Representatives Foster, Arnold, Porter, Schexnayder, Keet,
Stephens, Mahony, Hogue, Newman, Byran, Maddox, Pollan, King and Thurman

"AN ACT TO AMEND SUBCHAPTER 4 OF CHAPTER 64 OF TITLE 5 OF THE ARKANSAS CODE TO ADD A NEW SECTION TO PROVIDE FOR A TWO YEAR ENHANCEMENT OF ANY PRISON SENTENCE IMPOSED FOR THE SALE OF DRUGS WHEN THE SALE OCCURS ON OR NEAR A SCHOOL OR COLLEGE CAMPUS; AND FOR OTHER PURPOSES."

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

SECTION 1. Arkansas Code Title 5, Chapter 64, Subchapter 4 is hereby amended by adding the following new section:

"5-64-410. Any persons who commits an offense under Section 5-64-401(a) of this chapter by selling, delivering, dispensing, transporting, administering or distributing a controlled substance within one thousand (1,000) feet of the real property of a public or private elementary or secondary school, public vocational school, or private or public college or university, shall have any term of imprisonment imposed for the violation of Section 5-64-401(a) enhanced by a term of two years and a fine of not less than \$1,000."

SECTION 2. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. EMERGENCY. It is hereby found and determined by the General Assembly that drug sales to youths on or near school and college campuses cause many youths to attend classes in an intoxicated condition and that as a result their learning capacities are greatly impaired. The use of controlled substances is also a substantial factor in the drop out rate. Therefore, an emergency is hereby declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

APPROVED: March 16, 1989
