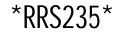
Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1	State of Arkansas	A D:11	
2	82nd General Assembly	A Bill	Act 717 of 1999
3	Regular Session, 1999		SENATE BILL 413
4			
5	By: Senator Bearden		
6			
7			
8	For An Act To Be Entitled		
9	"AN ACT TO AMEND ARKANSAS CODE 16-93-611 TO GRANT THE		
10	SENTENCING JUDGE THE DISCRETION TO WAIVE THE STATUTE		
11	AS TO A JUVENILE CONVICTED AS AN ADULT FOR BEING AN		
12	ACCOMPLICE TO THE CRIMES INDICATED; AND FOR OTHER		
13	PURPOSES. "		
14		G 14*4	
15		Subtitle	
16		CT TO AMEND ARKANSAS CODE 16-93-61	1
17		ANT THE SENTENCING JUDGE THE	
18		ETION TO WAIVE THE STATUTE AS TO A	
19		LE CONVICTED AS AN ADULT FOR BEIN	
20	AN ACC	COMPLICE TO THE CRIMES INDICATED."	
21			
22			
23	BE IT ENACTED BY THE GE	NERAL ASSEMBLY OF THE STATE OF AR	(ANSAS:
24			
25		isas Code 16-93-611 is amended to r	read as follows:
26	"16-93-611. CLass	Y felonies.	
27	<u>(a)</u> Notwithstan	ding any law allowing the award of	f meritorious good
28	time or any other law to the contrary, any person who is found guilty of or		
29	who pleads guilty or nolo contendere to murder in the first degree, § 5-10-		
30	102, kidnapping, Class Y felonies, § 5-11-102, aggravated robbery, § 5-12-103,		
31	rape, § 5-14-103, and causing a catastrophe, § 5-38-202(a), shall not <u>, except</u>		
32	as provided in subsection (b), be eligible for parole or community punishment		
33	transfer until the person serves seventy percent (70%) of the term of		
34	imprisonment, including a sentence prescribed under § 5-4-501, to which the		
35	person is sentenced.		
36	<u>(b) The sentenc</u>	ing judge may, in his discretion,	waive subsection (a)



1	under the following circumstances:		
2	(1) The defendant was a juvenile at the time of the offense;		
3	(2) The juvenile was merely an accomplice to the offense; and		
4	(3) The offense occurred on or after the effective date of Act		
5	<u>1326 of 1995.</u> "		
6			
7	SECTION 2. All provisions of this act of a general and permanent nature		
8	are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code		
9	Revision Commission shall incorporate the same in the Code.		
10			
11	SECTION 3. If any provision of this act or the application thereof to		
12	any person or circumstance is held invalid, such invalidity shall not affect		
13	other provisions or applications of the act which can be given effect without		
14	the invalid provision or application, and to this end the provisions of this		
15	act are declared to be severable.		
16			
17	SECTION 4. All laws and parts of laws in conflict with this act are		
18	hereby repealed.		
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20			
21	APPROVED: 3/18/1999		
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