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.

Act 345 of the Regular Session

1	State of Arkansas	A Bill		
2	86th General Assembly	A DIII		
3	Regular Session, 2007		HOUSE BILL 1567	
4				
5	By: Representative S. Prater			
6				
7		For An Act To Be Entitled		
8	AN ACT TO T	FOR AN ACT TO BE ENUMED N ACT TO PROVIDE ENHANCED PENALTIES FOR PERSONS		
9		SELLING A CONTROLLED SUBSTANCE AT OR NEAR SCHOOL		
10		BUS STOPS; AND FOR OTHER PURPOSES.		
11	BUS STOPS;	AND FOR OTHER PURPOSES.		
12 13		Subtitle		
14	AN ACT TO PROVIDE ENHANCED PENALTIES FOR			
15	PERSONS SELLING A CONTROLLED SUBSTANCE			
16	AT OR NEAR SCHOOL BUS STOPS.			
17		ant boneou bob brore.		
18				
19	BE IT ENACTED BY THE GENE	RAL ASSEMBLY OF THE STATE OF	ARKANSAS:	
20				
21	SECTION 1. Arkansa	s Code § 5-64-411 is amended	to read as follows:	
22	5-64-411. Proximity to certain facilities - Enhanced penalties.			
23	(a) Any person who	commits an offense under §	5-64-401(a) by selling,	
24	delivering, possessing wi	th intent to deliver, dispen	sing, manufacturing,	
25	transporting, administeri	ng, or distributing a contro	lled substance may be	
26	subject to an enhanced se	ntence of an additional term	of imprisonment of ten	
27	(10) years if the offense	is committed on or within o	ne thousand feet	
28	(1,000') of the real prop	erty of:		
29	(1) A city o	r state park;		
30	(2) A public	or private elementary or se	condary school, public	
31	vocational school, or pri	vate or public college or un	iversity;	
32	(3) A design	ated school bus stop as iden	tified on the route list	
33	published by a public sch	ool district each year;		
34	(3) (4) A ska	ting rink, Boys Club, Girls	Club, YMCA, YWCA, or	
35	community or recreation center;			



1	(4) (5) A publicly funded and administered multifamily housing		
2	development;		
3	(5)(6) A drug or alcohol treatment facility;		
4	(6)(7) A day care center;		
5	(7)(8) A church; or		
6	$\frac{(8)}{(9)}$ A shelter as defined in § 9-4-102.		
7	(b) The enhanced portion of the sentence is consecutive to any other		
8	sentence imposed.		
9	(c) Any person convicted under this section is not eligible for early		
10	release on parole for the enhanced portion of the sentence.		
11	(d)(1) Property Except for property covered by subdivision (a)(3) of		
12	this section, property covered by this section shall have a notice posted at		
13	the entrances to the property stating:		
14	"THE SALE OF DRUGS UPON OR WITHIN ONE THOUSAND FEET (1000') OF THIS PROPERTY		
15	MAY SUBJECT THE SELLER OF THE DRUGS TO AN ADDITIONAL TEN (10) YEARS		
16	IMPRISONMENT IN ADDITION TO THE TERM OF IMPRISONMENT OTHERWISE PROVIDED FOR		
17	THE UNLAWFUL SALE OF DRUGS."		
18	(2) However, the posting of the notice is not a necessary		
19	element for the enhancement of a sentence under this section.		
20	(e) As used in this section, "recreation center" means a public place		
21	of entertainment consisting of various types of entertainment, including, bu		
22	not limited to, billiards or pool, ping pong or table tennis, bowling, video		
23	games, pinball machines, or any other similar type of entertainment.		
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25	APPROVED: 3/19/2007		
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