

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 670 of the Regular Session

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007

A Bill

HOUSE BILL 1747

4
5 By: Representative Wills
6
7

For An Act To Be Entitled

8
9 AN ACT TO AMEND ARKANSAS CODE § 5-1-110
10 CONCERNING THE PROSECUTION OF CONDUCT
11 CONSTITUTING MORE THAN ONE (1) OFFENSE; AND FOR
12 OTHER PURPOSES.
13

Subtitle

14
15 TO AMEND ARKANSAS CODE § 5-1-110
16 CONCERNING THE PROSECUTION OF CONDUCT
17 CONSTITUTING MORE THAN ONE (1) OFFENSE.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 5-1-110(d), concerning offenses for which a
23 separate conviction and sentence are authorized, is amended to read as
24 follows:

25 (d)(1) Notwithstanding any provision of law to the contrary, a
26 separate conviction and sentence are authorized for:

27 (A) Capital murder, § 5-10-101, and any felony utilized as
28 an underlying felony for the capital murder;

29 (B) Criminal attempt to commit capital murder, §§ 5-3-201
30 and 5-10-101, and any felony utilized as an underlying felony for the
31 attempted capital murder;

32 (C) Murder in the first degree, § 5-10-102, and any felony
33 utilized as an underlying felony for the murder in the first degree; ~~and~~

34 ~~(C)(D)~~ Criminal attempt to commit murder in the first
35 degree, §§ 5-3-201 and 5-10-102, and any felony utilized as an underlying



1 felony for the attempted murder in the first degree; and

2 (E) Continuing criminal enterprise, § 5-64-405 and former
3 § 5-64-414, and any predicate felony utilized to prove the continuing
4 criminal enterprise.

5 (2) Pursuant to § 5-4-403, with respect to any offense mentioned
6 in subdivision (d)(1) of this section, the trial judge may order that the
7 multiple terms of imprisonment run concurrently or consecutively.

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9 **APPROVED: 3/29/2007**

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