



ARKANSAS SENTENCING COMMISSION

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Impact Assessment for HB1678 Sponsored by Representative Long

Subtitle TO AMEND THE ABORTION-INDUCING DRUGS SAFETY ACT TO INCREASE THE CRIMINAL PENALTIES

Impact Summary¹ Cannot be determined. The proposed bill increases penalties for existing courses of conduct and creates a new course of conduct.

Change from Current Law² Amends Title 20 of the Arkansas Code Annotated, specifically A.C.A. § 20-16-1506(a), concerning the criminal penalties under the Abortion-Inducing Drugs Safety Act. Under the proposed bill, a person who intentionally, knowingly, or recklessly violates a provision of the subchapter is guilty of a Class D felony. Under current law, a violation of a provision of the subchapter is a Class A misdemeanor.

The proposed bill creates a new course of conduct by which a person can commit a violation of A.C.A. § 5-16-1506. Under the proposed bill, a licensed healthcare provider, pharmacist, or other individual or entity that prescribes, authorizes, or approves the sale or delivery of abortion-inducing drugs is guilty of a Class D felony and a mandatory fifty thousand dollar (\$50,000) fine per violation.

Impact Information The proposed bill increases penalties for existing courses of conduct and creates a new course of conduct, the likely number of occurrences of which cannot be determined. The following data is for informational purposes only.

The Administrative Office of the Courts (AOC) reports that for the three (3) year period beginning January 1, 2022 and ending December 31, 2024, there were zero (0) convictions for a violation of A.C.A. § 20-16-1506, concerning the criminal penalties for a violation of the Abortion-Inducing Drugs Safety Act. It is important to note that misdemeanors are often disposed of in District Court, and that not all District courts report data to the AOC. For this reason, the number of misdemeanor convictions could be higher than reported.

The Division of Correction (ADC) reports that there are currently zero (0) offenders serving a sentence for A.C.A. § 20-16-1506, concerning the criminal penalties for a violation of the Abortion-Inducing Drugs Safety Act.

The likely number of occurrences with the proposed increased penalty and proposed new course of conduct is unknown. For this reason, the potential impact on correctional resources cannot be determined.

¹ This impact assessment was prepared 4/1/2025 9:01 AM by the staff of the Arkansas Sentencing Commission pursuant to A. C. A. § 16-90-802(d)(6) with data supplied by the Arkansas Department of Corrections and the Administrative Office of the Courts. A micro-simulation model may be used for bills which have the potential for significant impact on correctional resources. The following designations will be used: "minimal" = less than 10 offenders per year will be affected; "medium" = would require budgetary increases for ADC inmate costs; and "major" = would require budgetary increases for ADC inmate costs and construction costs for additional beds

² Standard punishment ranges:

Class Y 10-40 years or life
Class A 6-30 years; up to \$15,000
Class B 5-20 years; up to \$15,000

Class C 3-10 years; up to \$10,000
Class D 0-6 years; up to \$10,000
Unclassified As specified in statute

Misdemeanors

Class A Up to 1 year; up to \$2,500
Class B Up to 90 days; up to \$1,000
Class C Up to 30 days; up to \$500