

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995
4 By: Representative Hunton

A Bill

HOUSE BILL 1901

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 5-65-111 TO
PROVIDE FOR INCREASED SENTENCES OF IMPRISONMENT FOR
RECIDIVIST DWI OFFENDERS; AND FOR OTHER PURPOSES."

Subtitle

"TO INCREASE SENTENCES OF IMPRISONMENT
FOR RECIDIVIST DWI OFFENDERS"

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

SECTION 1. Arkansas Code Annotated § 5-65-111 is amended to read as follows:

"5-65-111. Prison terms - Exception.

(a) Any person who pleads guilty, nolo contendere, or is found guilty of violating § 5-65-103 may, for a first offense, be imprisoned for no less than twenty-four (24) hours and no more than one (1) year, except that the court may order public service in lieu of jail, and, in such instance, the court shall include the reasons therefor in its written order or judgment.

(b) Any person who pleads guilty, nolo contendere, or is found guilty of violating § 5-65-103 shall be imprisoned:

(1) For no less than ninety (90) days and no more than one (1) year for the second offense occurring within three (3) years of the first offense;

(2) For no less than one hundred and eighty (180) days nor more than one (1) year for the third offense occurring within three (3) years of the first offense;

(3) For at least two (2) years but no more than twelve (12) years for the fourth or subsequent offense occurring within three (3) years

1 of the first offense and shall be guilty of a felony.

2

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

6

7 SECTION 3. If any provision of this act or the application thereof to
8 any person or circumstance is held invalid, such invalidity shall not affect
9 other provisions or applications of the act which can be given effect without
10 the invalid provision or application, and to this end the provisions of this
11 act are declared to be severable.

12

13 SECTION 4. All laws and parts of laws in conflict with this act are
14 hereby repealed.

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

1

2