

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997  
4  
5 By: Senator Gwatney

# A Bill

SENATE BILL 168

## For An Act To Be Entitled

9 "AN ACT REQUIRING ANY PERSON WHO IS FOUND GUILTY OF OR  
10 PLEADS GUILTY OR NOLO CONTENDERE TO MURDER, KIDNAPPING,  
11 RAPE, CAUSING A CATASTROPHE, OR ANY OTHER FELONY OFFENSE  
12 INVOLVING THE USE OF A DEADLY WEAPON SHALL NOT BE ELIGIBLE  
13 FOR PAROLE OR TRANSFER UNTIL THE PERSON SERVES EIGHTY-FIVE  
14 PERCENT (85%) OF THE TERM OF IMPRISONMENT TO WHICH THE  
15 PERSON IS SENTENCED, NOR SHALL THEY BE ELIGIBLE FOR ANY  
16 WORK-STUDY RELEASE UNDER ACT 309 OF 1983 AS AMENDED, ANY  
17 OTHER WORK RELEASE PROGRAM, OR MERITORIOUS GOOD TIME; AND  
18 FOR OTHER PURPOSES."

## Subtitle

21 "TO IMPOSE A MINIMUM TERM OF  
22 IMPRISONMENT BEFORE CERTAIN OFFENDERS  
23 ARE ELIGIBLE FOR PAROLE OR TRANSFER"

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

27 SECTION 1. Any person who is found guilty of or pleads guilty or nolo  
28 contendere to murder in the first degree, murder in the second degree,  
29 kidnapping, rape, causing a catastrophe, or any other felony offense involving  
30 the use of a deadly weapon shall not be eligible for parole or transfer until  
31 the person serves eighty-five percent (85%) of the term of imprisonment to  
32 which the person is sentenced.

34 SECTION 2. Any person who is found guilty of or pleads guilty or nolo  
35 contendere to any of those offenses enumerated in Section 1 of this act shall  
36 not be eligible to participate in any work-study release program under Act 309

1 of 1983 as amended or any other work release program, or receive meritorious  
2 good time.

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4 SECTION 3. This act shall be applicable at sentencing for all persons  
5 who are found guilty of or plead guilty or nolo contendere to any of those  
6 offenses enumerated in Section 1 after the effective date of this act.

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

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12 SECTION 5. If any provision of this act or the application thereof to  
13 any person or circumstance is held invalid, such invalidity shall not affect  
14 other provisions or applications of the act which can be given effect without  
15 the invalid provision or application, and to this end the provisions of this  
16 act are declared to be severable.

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18 SECTION 6. All laws and parts of laws in conflict with this act are  
19 hereby repealed.

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