

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997

As Engrossed: S3/19/97

# A Bill

SENATE BILL 196

4  
5 By: Senators Kennedy and Beebe  
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## For An Act To Be Entitled

9 "AN ACT TO REQUIRE PERSONS CONVICTED OF MANUFACTURING  
10 METHAMPHETAMINE TO SERVE SEVENTY PERCENT OF THEIR  
11 SENTENCE; AND TO AMEND ARKANSAS CODE ANNOTATED  
12 § 16-91-110(b)(3) TO DENY BAIL PENDING APPEAL TO PERSONS  
13 CONVICTED OF MANUFACTURING METHAMPHETAMINE; AND FOR OTHER  
14 PURPOSES."

## Subtitle

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17 "TO REQUIRE PERSONS CONVICTED OF  
18 MANUFACTURING METHAMPHETAMINE TO SERVE  
19 SEVENTY PERCENT OF THEIR SENTENCE"  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code Annotated § 16-91-110(b)(3) is amended to read  
24 as follows:

25 "(3) When a criminal defendant has been found guilty, pleaded guilty,  
26 or pleaded nolo contendere to a criminal offense of murder in the first  
27 degree, § 5-10-102; rape, § 5-14-103; aggravated robbery, § 5-12-103; or  
28 causing a catastrophe, § 5-38-202(a); or the criminal offense of kidnapping,  
29 § 5-11-102, or arson, § 5-38-301, when classified as Class Y felonies, or  
30 manufacturing methamphetamine in violation of § 5-64-401, and is sentenced to  
31 death or a term of imprisonment, the court shall not release the defendant on  
32 bail or otherwise pending appeal or for any reason."  
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34 SECTION 2. (a) Any person who is found guilty, pleads guilty, or  
35 pleads nolo contendere to manufacturing methamphetamine in violation of  
36 § 5-64-401 and is committed to the Department of Correction for a term of  
37 years, shall not be eligible for release on parole until a minimum of seventy

1 percent (70%) of the sentence shall have been served, not counting good-time  
2 allowances, unless pardoned or the sentence is commuted to a shorter term of  
3 years by the Governor, as provided by law.

4 (b) The provisions of this section shall expire on December 31, 2001.

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

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10 SECTION 4. If any provision of this act or the application thereof to  
11 any person or circumstance is held invalid, such invalidity shall not affect  
12 other provisions or applications of the act which can be given effect without  
13 the invalid provision or application, and to this end the provisions of this  
14 act are declared to be severable.

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16 SECTION 5. All laws and parts of laws in conflict with this act are  
17 hereby repealed.

18 /s/Kennedy et al  
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