

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

As Engrossed: S3/18/97

## A Bill

SENATE BILL 595

4  
5 By: Senator Kennedy  
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### For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 5-64-411 TO ENHANCE  
10 PENALTIES FOR SELLING DRUGS ON OR WITHIN ONE THOUSAND FEET  
11 OF A DAY CARE CENTER OR CHURCH; AND FOR OTHER PURPOSES."  
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### Subtitle

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14 "TO ENHANCE PENALTIES FOR SELLING DRUGS  
15 ON OR WITHIN ONE THOUSAND FEET OF A DAY  
16 CARE CENTER OR CHURCH."  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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20 SECTION 1. Arkansas Code 5-64-411(a) is amended to read as follows:

21 "(a) Any person who commits an offense under § 5-64-401(a) by selling,  
22 delivering, possessing with intent to deliver, dispensing, transporting,  
23 administering, or distributing a controlled substance may be subject to an  
24 enhanced sentence of an additional term of imprisonment of ten (10) years if  
25 the offense is committed on or within one thousand feet (1,000') of the real  
26 property of:

27 (1) A city or state park;

28 (2) A public or private elementary or secondary school, public  
29 vocational school, or private or public college or university;

30 (3) A skating rink, Boys Club, Girls Club, YMCA, or YWCA, or a  
31 community or recreation center;

32 (4) A publicly funded and administered multifamily housing development;  
33 ~~or~~

34 (5) A drug or alcohol treatment facility~~;~~;

35 (6) A day care center; or

36 (7) A church."

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

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

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 All laws and parts of laws in conflict with this act are hereby repealed.

*/s/Kennedy*