1 State of Arkansas

A Bill

2 81st General Assembly

3 Regular Session, 1997   SENATE BILL   622

4

5 By: Senator Kennedy

6

7

8 For An Act To Be Entitled

9   "AN ACT TO ENHANCE THE PENALTIES FOR PERSONS CONVICTED OF

10   POSSESSING CONTROLLED SUBSTANCES IN ANY STATE OR LOCAL

11   CRIMINAL DETENTION FACILITY OR JUVENILE DETENTION

12   FACILITY; AND FOR OTHER PURPOSES."

13

14 Subtitle

15   "TO ENHANCE THE PENALTIES FOR PERSONS

16   CONVICTED OF POSSESSING CONTROLLED

17   SUBSTANCES IN ANY STATE OR LOCAL

18   CRIMINAL DETENTION FACILITY OR JUVENILE

19   DETENTION FACILITY."

20

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

22

23   SECTION 1. Arkansas Code 5-64-401 is amended by inserting an additional

24 subsection at the end thereof to read as follows:

25   "(f) When any person is convicted of the unlawful possession of a

26 controlled substance in any state, county, or city criminal detention

27 facility, or any juvenile detention facility, the penalty for the offense

28 shall be increased to the next higher classification of felony or misdemeanor

29 as prescribed by law for the offense."

30

31   SECTION 2. All provisions of this act of a general and permanent nature

32 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code

33 Revision Commission shall incorporate the same in the Code.

34

35   SECTION 3. If any provision of this act or the application thereof to

36 any person or circumstance is held invalid, such invalidity shall not affect

1 other provisions or applications of the act which can be given effect without

2 the invalid provision or application, and to this end the provisions of this

3 act are declared to be severable.

4

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

6 hereby repealed.

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

0305971527.rrs780