

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005

# A Bill

HOUSE BILL 2589

4  
5 By: Representative Bright  
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## For An Act To Be Entitled

8  
9 AN ACT CONCERNING MURDER IN THE SECOND DEGREE; TO  
10 REQUIRE THE INMATE TO SERVE SEVENTY PERCENT (70%)  
11 OF HIS OR HER SENTENCE BEFORE BEING ELIGIBLE FOR  
12 PAROLE OR COMMUNITY PUNISHMENT TRANSFER; AND FOR  
13 OTHER PURPOSES.  
14

## Subtitle

15  
16 AN ACT CONCERNING MURDER IN THE SECOND  
17 DEGREE AND TO REQUIRE THE INMATE TO  
18 SERVE SEVENTY PERCENT (70%) OF HIS OR  
19 HER SENTENCE BEFORE BEING ELIGIBLE FOR  
20 PAROLE OR COMMUNITY PUNISHMENT TRANSFER.  
21  
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. Arkansas Code Title 16, Chapter 93, Subchapter 6 is amended  
26 to add an additional section to read as follows:

27 16-93-612. Murder in the second degree – Seventy-percent rule.

28 (a) Notwithstanding any law allowing the award of meritorious good  
29 time or any other law to the contrary, any person who is found guilty of or  
30 who pleads guilty to or nolo contendere to murder in the second degree, § 5-  
31 10-103, shall not be eligible for parole or community punishment transfer  
32 except as provided in subsection (b) of this section until the person serves  
33 seventy percent (70%) of the term of imprisonment to which the person is  
34 sentenced, including a sentence prescribed under § 5-4-501.

35 (b) In his or her discretion, the sentencing judge may waive the  
36 application of subsection (a) of this section under the following



1 circumstances:

2 (1) The defendant was a juvenile at the time of the offense;

3 and

4 (2) The juvenile was merely an accomplice to the offense.

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6 (c) This section applies to offenses committed on or after the

7 effective date of this section.

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