

State of Arkansas
86th General Assembly
Regular Session, 2007

A Bill

HOUSE BILL 1747

By: Representative Wills

For An Act To Be Entitled

AN ACT TO AMEND ARKANSAS CODE § 5-1-110
CONCERNING THE PROSECUTION OF CONDUCT
CONSTITUTING MORE THAN ONE (1) OFFENSE; AND FOR
OTHER PURPOSES.

Subtitle

TO AMEND ARKANSAS CODE § 5-1-110
CONCERNING THE PROSECUTION OF CONDUCT
CONSTITUTING MORE THAN ONE (1) OFFENSE.

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

SECTION 1. Arkansas Code § 5-1-110(d), concerning offenses for which a separate conviction and sentence are authorized, is amended to read as follows:

(d)(1) Notwithstanding any provision of law to the contrary, a separate conviction and sentence are authorized for:

(A) Capital murder, § 5-10-101, and any felony utilized as an underlying felony for the capital murder;

(B) Criminal attempt to commit capital murder, §§ 5-3-201 and 5-10-101, and any felony utilized as an underlying felony for the attempted capital murder;

(C) Murder in the first degree, § 5-10-102, and any felony utilized as an underlying felony for the murder in the first degree; ~~and~~

~~(C)(D)~~ Criminal attempt to commit murder in the first degree, §§ 5-3-201 and 5-10-102, and any felony utilized as an underlying felony for the attempted murder in the first degree; and



1 (E) Continuing criminal enterprise, § 5-64-405 and former
2 § 5-64-414, and any predicate felony utilized to prove the continuing
3 criminal enterprise.

4 (2) Pursuant to § 5-4-403, with respect to any offense mentioned
5 in subdivision (d)(1) of this section, the trial judge may order that the
6 multiple terms of imprisonment run concurrently or consecutively.