

State of Arkansas  
95th General Assembly  
Regular Session, 2025

As Engrossed: H3/19/25

## A Bill

HOUSE BILL 1630

By: Representative Gazaway  
By: Senator Gilmore

### For An Act To Be Entitled

*AN ACT TO AMEND THE LAW CONCERNING CAPITAL MURDER,  
MURDER IN THE FIRST DEGREE, AND MANSLAUGHTER; TO ADD  
A MISDEMEANOR CONTROLLED SUBSTANCE OFFENSE TO THE  
PREDICATE OFFENSES FOR CAPITAL MURDER, MURDER IN THE  
FIRST DEGREE, AND MANSLAUGHTER; AND FOR OTHER  
PURPOSES.*

### Subtitle

*TO ADD A MISDEMEANOR CONTROLLED  
SUBSTANCE OFFENSE TO THE PREDICATE  
OFFENSES FOR CAPITAL MURDER, MURDER IN  
THE FIRST DEGREE, AND MANSLAUGHTER.*

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

SECTION 1. Arkansas Code § 5-10-101(a)(1), concerning predicate felonies for capital murder, is amended to read as follows:

(1) Acting alone or with one (1) or more other persons:

(A) The person commits or attempts to commit:

(i) Terrorism, as defined in § 5-54-205;

(ii) Rape, § 5-14-103;

(iii) Kidnapping, § 5-11-102;

(iv) Vehicular piracy, § 5-11-105;

(v) Robbery, § 5-12-102;

(vi) Aggravated robbery, § 5-12-103;

(vii) Residential burglary, § 5-39-201(a);

(viii) Commercial burglary, § 5-39-201(b);



(ix) Aggravated residential burglary, § 5-39-204;  
(x) A ~~felony~~ violation of the Uniform Controlled Substances Act, §§ 5-64-101 – 5-64-508, involving an actual delivery of a controlled substance; or

(xi) First degree escape, § 5-54-110; and  
(B) In the course of and in furtherance of the ~~felony~~ offense or in immediate flight from the ~~felony~~ offense, the person or an accomplice causes the death of a person under circumstances manifesting extreme indifference to the value of human life;

SECTION 2. Arkansas Code § 5-10-102(a)(1), concerning predicate felonies for murder in the first degree, is amended to read as follows:

(1) Acting alone or with one (1) or more other persons:

(A) The person commits or attempts to commit a felony or a violation of the Uniform Controlled Substance Act, §§ 5-64-101 – 5-64-508, involving an actual delivery of a controlled substance; and

(B) In the course of and in the furtherance of the ~~felony~~ offense or in immediate flight from the ~~felony~~ offense, the person or an accomplice causes the death of any person under circumstances manifesting extreme indifference to the value of human life;

SECTION 3. Arkansas Code § 5-10-104(a)(4), concerning the predicate felonies for manslaughter, is amended to read as follows:

(4) Acting alone or with one (1) or more persons:

(A) The person commits or attempts to commit a felony or a violation of the Uniform Controlled Substance Act, §§ 5-64-101 – 5-64-508, involving an actual delivery of a controlled substance; and

(B) In the course of and in furtherance of the ~~felony~~ offense or in immediate flight from the ~~felony~~ offense:

(i) The person or an accomplice negligently causes the death of any person; or

(ii) Another person who is resisting the ~~felony~~ offense or flight causes the death of any person.

/s/Gazaway