

Stricken language would be deleted from and underlined language would be added to present law.
Act 420 of the Regular Session

State of Arkansas
95th General Assembly
Regular Session, 2025

As Engrossed: S3/13/25

A Bill

HOUSE BILL 1552

By: Representative Gazaway

By: Senator Gilmore

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING CERTAIN INCHOATE OFFENSES RELATED TO FENTANYL; TO ESTABLISH THE CLASSIFICATION FOR A CRIMINAL ATTEMPT, SOLICITATION, OR CONSPIRACY FOR CERTAIN FENTANYL RELATED OFFENSES; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING CERTAIN INCHOATE OFFENSES RELATED TO FENTANYL; AND TO ESTABLISH THE CLASSIFICATION FOR A CRIMINAL ATTEMPT, SOLICITATION, OR CONSPIRACY FOR CERTAIN FENTANYL RELATED OFFENSES.

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

SECTION 1. Arkansas Code § 5-3-203(1), concerning criminal attempt offenses that are classified as a Class Y felony, is amended to read as follows:

(1) Class Y felony if the offense attempted is:

(A) ~~capital~~ Capital murder, § 5-10-101;

(B) Aggravated death by delivery, § 5-10-202;

(C) Predatory marketing of fentanyl to minors, § 5-64-421;

or

(D) Trafficking of fentanyl, § 5-64-440;

SECTION 2. Arkansas Code Annotated § 5-3-301(b), concerning the



classification of criminal solicitation offenses, is amended to add an additional subdivision to read as follows:

(9) Class Y felony if the offense solicited is:

(A) Aggravated death by delivery, § 5-10-202;

(B) Predatory marketing of fentanyl to minors, § 5-64-421;

or

(C) Trafficking of fentanyl, § 5-64-440.

SECTION 3. Arkansas Code Annotated § 5-3-404, concerning the classification of criminal conspiracy offenses, is amended to add an additional subdivision to read as follows:

(8) Class Y felony if an object of the conspiracy is commission

of:

(A) Aggravated death by delivery, § 5-10-202;

(B) Predatory marketing of fentanyl to minors, § 5-64-421;

or

(C) Trafficking of fentanyl, § 5-64-440.

/s/Gazaway

APPROVED: 3/25/25