

Stricken language would be deleted from and underlined language would be added to present law.  
Act 599 of the Regular Session

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:*

*(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*

**APPROVED: 4/14/25**