

State of Arkansas
94th General Assembly
First Extraordinary Session, 2023

A Bill

Call Item 7
HOUSE BILL 1006

By: Representatives Gazaway, McAlindon
By: Senators Gilmore, Crowell, J. Dotson, Hester, Hill

For An Act To Be Entitled

AN ACT TO CLARIFY THE SENTENCING FOR A FELONY WITH A
FIREARM; AND FOR OTHER PURPOSES.

Subtitle

TO CLARIFY THE SENTENCING FOR A FELONY
WITH A FIREARM.

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

SECTION 1. Arkansas Code § 16-90-120(e)(1)(A), concerning the sentencing for a felony with a firearm and effective January 1, 2024, is amended to read as follows:

(e)(1) For an offense committed on or after July 2, 2007, but before January 1, 2024, notwithstanding any law allowing the award of meritorious good time or any other law to the contrary, except as provided in subdivision (e)(1)(B)(ii) of this section, any person who is sentenced under subsection (a) of this section is not eligible for parole, transfer to post-release supervision, or community correction transfer until the person serves:

(A) Seventy percent (70%) of the term of imprisonment to which the person is sentenced under subsection (a) of this section if the underlying felony was any of the following:

- (i) Murder in the first degree, § 5-10-102;
- (ii) Kidnapping that is a Class Y felony, § 5-11-102;
- (iii) Aggravated robbery, § 5-12-103;
- (iv) Rape, § 5-14-103;
- (v) Causing a catastrophe, § 5-38-202(a);



- (vi) Trafficking methamphetamine, § 5-64-440(b)(1);
- (vii) Manufacturing methamphetamine, § 5-64-423(a) or former § 5-64-401; or
- (viii) Possession of drug paraphernalia with the purpose to manufacture methamphetamine, former § 5-64-403(c)(5);

SECTION 2. Arkansas Code § 16-90-120(g), concerning the sentencing for a felony with a firearm and effective January 1, 2024, is amended to read as follows:

(g) ~~Any person convicted under this section~~ For an offense committed on or after January 1, 2024, any person who is sentenced under subsection (a) of this section is not eligible for early release ~~or, including without limitation~~ parole, transfer to post-release supervision, or community correction transfer, for the additional period of confinement.

SECTION 3. EFFECTIVE DATE. This act is effective on and after January 1, 2024.