

Stricken language would be deleted from and underlined language would be added to present law.

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*