

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: 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