

## **Title 16. Practice, Procedure, and Courts**

### **Chapter II. Arkansas Sentencing Commission, Department of Corrections**

#### **Subchapter A. Generally**

#### **Part 11. Eligibility for Transfer to Post-Release Supervision**

**Codification Notes.** This part as promulgated prior to codification into the Code of Arkansas Rules provided as follows:

"APPROVED: EFFECTIVE DATE: 01/01/2025

##### **I. AUTHORITY**

The Sentencing Commission is authorized to promulgate this rule by A.C.A. § 16-90-802 and mandated to promulgate this rule by A.C.A. § 16-93-1804."

##### **Subpart 1. Generally**

###### **16 CAR § 11-101. Applicability.**

(a) Eligibility for earned release credits pursuant to this part is subject to requirements set forth in the Arkansas Code.

(b) In the event this part conflicts with the Arkansas Code, any restrictions or limitations on eligibility for earned release credits shall be based on statute.

**Authority.** Arkansas Code § 16-90-802.

###### **16 CAR § 11-102. Policy.**

###### **(a) Application.**

(1)(A) This part is governed by Arkansas Code § 16-93-1804(4).

(B) Any person falling under these provisions is eligible for transfer to post-release supervision when the term of confinement and his or her earned release

credit equals or exceeds one hundred percent (100%) of the term of imprisonment imposed by the sentencing court.

(2)(A) The maximum amount of earned release credits that can be accrued and granted by the Post-Prison Transfer Board is fifty percent (50%) or seventy-five percent (75%) of the term of imprisonment based on the seriousness determination set out in subsections (b) and (c) of this section.

(B) The maximum amount of earned release credits that may be accrued and granted by the board for offenses omitted in this part is fifty percent (50%) of the term of imprisonment.

(b) Felonies for which earned release credits may not exceed fifty percent (50%) of imposed term of confinement include the following, including an attempt, solicitation, or conspiracy to commit one (1) of the below offenses:

- (1) Physician-assisted suicide, Arkansas Code § 5-10-106;
- (2) Robbery, Arkansas Code § 5-12-102;
- (3) Abuse of an athletic contest official, Arkansas Code § 5-13-209, if a Class B felony;
- (4) Introduction of a controlled substance into the body of another person, Arkansas Code § 5-13-210, if a Class Y felony;
- (5) Aggravated assault upon a law enforcement officer or an employee of a correctional facility, Arkansas Code § 5-13-211, if a Class Y felony;
- (6) Knowingly exposing another person to fentanyl in the first and second degree, Arkansas Code § 5-13-214;
- (7) Sexual assault in the second degree, Arkansas Code § 5-14-125;
- (8) Unlawful solicitation for the relinquishment of parental rights, Arkansas Code § 5-26-204, if a Class A felony;
- (9) Abuse of an endangered or impaired person, Arkansas Code § 5-28-103, if a Class B felony;
- (10) Arson, Arkansas Code § 5-38-301, if a Class A felony;
- (11) Residential burglary, Arkansas Code § 5-39-201(a);
- (12) Using prohibited articles, Arkansas Code § 5-54-119(d);

(13) Possession of fentanyl with the purpose to deliver, Arkansas Code § 5-64-421(b);

(14) Delivery of methamphetamine, heroin, or cocaine, Arkansas Code § 5-64-422, if a Class B or Y felony;

(15) Manufacture of methamphetamine, heroin, or cocaine, Arkansas Code § 5-64-423, if a Class B, A, or Y felony;

(16) Delivery of a Schedule VI controlled substance, Arkansas Code § 5-64-438, if a Class A felony;

(17) Manufacture of a Schedule VI controlled substance, Arkansas Code § 5-64-439, if a Class A felony;

(18) Possession or use for offensive or aggressive purposes unlawful, Arkansas Code § 5-73-204;

(19) Perpetrating or attempting crime, Arkansas Code § 5-73-211;

(20) Engaging in a continuing criminal gang, organization, or enterprise in the first degree, Arkansas Code § 5-74-104(a), if a Class Y or A felony;

(21) Engaging in a continuing criminal gang, organization, or enterprise in the second degree, Arkansas Code § 5-74-104(b), if a Class Y felony;

(22) Simultaneous possession of drugs and firearms, Arkansas Code § 5-74-106;

(23) Unlawful discharge of a firearm from a vehicle in the second degree, Arkansas Code § 5-74-107(b);

(24) Soliciting a minor to join a gang, Arkansas Code § 5-74-203, if a Class B felony;

(25) Fleeing, Arkansas Code § 5-54-125, if a Class A felony; and

(26) Coerced abortion by fraud, Arkansas Code § 5-61-103.

(c) Felonies for which earned release credits may not exceed seventy-five percent (75%) of imposed term of confinement include the following, including an attempt, solicitation, or conspiracy to commit one of the below offenses:

(1) Violation of the Arkansas Public Grain Warehouse Law, Arkansas Code § 2-17-204;

- (2) Violation of the Arkansas Grain Dealers Act, Arkansas Code § 2-24-108;
- (3) Knowingly furnishing or selling to a minor, Arkansas Code § 3-3-202;
- (4) Social hosts — criminal liability, Arkansas Code § 3-3-219;
- (5) Manufacture, possession, and transportation, Arkansas Code § 3-3-402;
- (6) Sales or furnishing place for sale in dry territory prohibited — penalty, Arkansas Code § 3-8-209;
- (7) Sales, barter, or possession for sale or barter in dry area — penalties, Arkansas Code § 3-8-312;
- (8) Unlawful acts relating to secured interests on certain farm products, Arkansas Code § 4-56-102;
- (9) Issuance of bill for goods not received, Arkansas Code § 4-59-301;
- (10) Remission to acquirer of record of sale not made by remitter, Arkansas Code § 4-59-502;
- (11) Solicitation of merchant to remit record of sale not made by merchant, Arkansas Code § 4-59-503;
- (12) Misleading and fraudulent schemes — penalty — prosecutions, Arkansas Code § 4-72-207;
- (13) Counterfeits — criminal penalties, Arkansas Code § 4-88-1205;
- (14) Violation of odometer rules, Arkansas Code § 4-90-203;
- (15) Violation of the Arkansas Mail and Telephone Consumer Product Promotion Fair Practices Act, Arkansas Code § 4-95-103;
- (16) Soliciting prospective purchasers on behalf of unregistered telephonic seller prohibited — violation, Arkansas Code § 4-99-110;
- (17) Violation of motor vehicle transfer law, Arkansas Code § 4-100-102;
- (18) Method of execution, Arkansas Code § 5-4-617;
- (19) Negligent homicide, Arkansas Code § 5-10-105, if a Class D felony;
- (20) False imprisonment in the first degree, Arkansas Code § 5-11-103;
- (21) Vehicular piracy, Arkansas Code § 5-11-105;
- (22) Permanent detention or restraint, Arkansas Code § 5-11-106;
- (23) Battery in the second degree, Arkansas Code § 5-13-202;

- (24) Aggravated assault, Arkansas Code § 5-13-204;
- (25) Abuse of an athletic contest official, Arkansas Code § 5-13-209, if a Class C felony;
- (26) Introduction of a controlled substance into the body of another person, Arkansas Code § 5-13-210, if a Class B or C felony;
- (27) Aggravated assault against a certified law enforcement officer or employee of a correctional facility, Arkansas Code § 5-13-211, if a Class D felony;
- (28) Fertility treatment abuse, Arkansas Code § 5-13-212;
- (29) Aggravated assault against a first responder, Arkansas Code § 5-13-213;
- (30) Terroristic threatening, Arkansas Code § 5-13-301;
- (31) Threatening to commit an act of mass violence on school property, Arkansas Code § 5-13-302;
- (32) Indecent exposure, Arkansas Code § 5-14-112;
- (33) Sexual assault in the third degree, Arkansas Code § 5-14-126;
- (34) Sexual assault in the fourth degree, Arkansas Code § 5-14-127;
- (35) Registered offender living near a school, public park, youth center, daycare, or church or other place of worship prohibited, Arkansas Code § 5-14-128;
- (36) Registered offender working with children prohibited, Arkansas Code § 5-14-129;
- (37) Registered offender — incorrect permanent physical address on identification cards or driver's license prohibited, Arkansas Code § 5-14-130;
- (38) Registered offender living near victim or having contact with victim prohibited, Arkansas Code § 5-14-131;
- (39) Registered offender prohibited from entering upon school campus — exception, Arkansas Code § 5-14-132;
- (40) Registered offender prohibited from entering a water park owned or operated by a local government, Arkansas Code § 5-14-133;
- (41) Registered offender prohibited from entering a swimming area or children's playground contained within an Arkansas State Park, Arkansas Code § 5-14-134;

- (42) Registered offender prohibited from participating in certain Halloween-related activities, Arkansas Code § 5-14-135;
- (43) Registered offender prohibited from recording person under fourteen (14) years of age — unlawful use of recording online, Arkansas Code § 5-14-137;
- (44) Registered offender prohibited from purchasing, owning, possessing, using, or operating unmanned aircraft, Arkansas Code § 5-14-138;
- (45) Crime of video voyeurism, Arkansas Code § 5-16-101, if a Class D felony;
- (46) Voyeurism, Arkansas Code § 5-16-102, if a Class D felony;
- (47) Communicating a death threat concerning a school employee or student, Arkansas Code § 5-17-101;
- (48) Incest, Arkansas Code § 5-26-202;
- (49) Concealing birth, Arkansas Code § 5-26-203;
- (50) Unlawful solicitation for the relinquishment of parental rights, Arkansas Code § 5-26-204, if a Class C or D felony;
- (51) Domestic battering in the second degree, Arkansas Code § 5-26-304;
- (52) Domestic battering in the third degree, Arkansas Code § 5-26-305;
- (53) Aggravated assault on a family or household member, Arkansas Code § 5-26-306, unless under Arkansas Code § 5-26-306(a)(3);
- (54) Nonsupport, Arkansas Code § 5-26-401;
- (55) Interference with visitation, Arkansas Code § 5-26-501;
- (56) Interference with court-ordered custody, Arkansas Code § 5-26-502;
- (57) Interference with custody, Arkansas Code § 5-26-503;
- (58) Endangering the welfare of an incompetent person in the first degree, Arkansas Code § 5-27-201;
- (59) Endangering the welfare of a minor in the first degree, Arkansas Code § 5-27-205;
- (60) Rehoming of an adopted minor, Arkansas Code § 5-27-211;
- (61) Permitting child abuse, Arkansas Code § 5-27-221, if a Class D felony;
- (62) Soliciting money or property to incompetents, Arkansas Code § 5-27-229;

(63) Manufacturing or altering personal identification document unlawful, Arkansas Code § 5-27-502;

(64) Distributing, possessing, or viewing of any matter depicting sexually explicit conduct involving a child, Arkansas Code § 5-27-602;

(65) Possession or use of child sexual abuse material, Arkansas Code § 5-27-603;

(66) Unlawful doxxing of a minor on a social media platform, Arkansas Code § 5-27-610;

(67) Criminal penalties for abuse of an endangered or impaired person, Arkansas Code § 5-28-103, if a Class C or D felony;

(68) Making a false notification by the Adult and Long-Term Care Facility Resident Maltreatment Act, Arkansas Code § 5-28-110(b);

(69) Abuse of a vulnerable person, Arkansas Code § 5-29-203;

(70) Neglect of a vulnerable person, Arkansas Code § 5-29-204;

(71) Exploitation of a vulnerable person, Arkansas Code § 5-29-205;

(72) Theft of property, Arkansas Code § 5-36-103;

(73) Theft of services, Arkansas Code § 5-36-104;

(74) Theft of property lost, mislaid, or delivered by mistake, Arkansas Code § 5-36-105;

(75) Theft by receiving, Arkansas Code § 5-36-106;

(76) Operating a chop shop — dealing in stolen or forged motor vehicle parts, Arkansas Code § 5-36-109;

(77) Theft of leased, rented, or entrusted personal property — false report of wealth or credit, Arkansas Code § 5-36-115;

(78) Theft of scrap metal, Arkansas Code § 5-36-123;

(79) Theft by receiving of scrap metal, Arkansas Code § 5-36-124;

(80) Unlawful transfer of stolen property to a pawn shop or pawnbroker, Arkansas Code § 5-36-125;

(81) Theft of a catalytic converter — unauthorized possession of a catalytic converter, Arkansas Code § 5-36-126;

- (82) Theft of public benefits, Arkansas Code § 5-36-202;
- (83) Theft of wireless service, Arkansas Code § 5-36-303;
- (84) Facilitating theft of wireless service by manufacture, distribution, or possession of devices for theft of wireless services, Arkansas Code § 5-36-304;
- (85) Unlawful use of a theft detection shielding device, Arkansas Code § 5-36-401;
- (86) Unlawful possession of a theft detection shielding device, Arkansas Code § 5-36-402;
- (87) Unlawful possession of a theft detection device remover, Arkansas Code § 5-36-403;
- (88) Unlawful removal of a theft detection device, Arkansas Code § 5-36-404;
- (89) Forgery, Arkansas Code § 5-37-201;
- (90) Defrauding a secured creditor, Arkansas Code § 5-37-203;
- (91) Fraud in insolvency, Arkansas Code § 5-37-204;
- (92) Fraudulent use of a credit card or debit card, Arkansas Code § 5-37-207;
- (93) Criminal impersonation, Arkansas Code § 5-37-208;
- (94) Criminal possession of a forgery device, Arkansas Code § 5-37-209;
- (95) Obtaining a signature by deception, Arkansas Code § 5-37-210;
- (96) Defrauding a judgment creditor, Arkansas Code § 5-37-211;
- (97) Unlawfully using a slug, Arkansas Code § 5-37-212;
- (98) Criminal simulation, Arkansas Code § 5-37-213;
- (99) Fraudulently filing a Uniform Commercial Code, Arkansas Code § 4-1-101 et seq., financing statement, Arkansas Code § 5-37-215;
- (100) Defrauding a prospective adoptive parent, Arkansas Code § 5-27-216;
- (101) Healthcare fraud, Arkansas Code § 5-37-217;
- (102) Unlawful possession of a skimmer, Arkansas Code § 5-37-219;
- (103) Fertility treatment fraud, Arkansas Code § 5-37-220;
- (104) Filing instruments affecting title or interest in real property, Arkansas Code § 5-37-226;

- (105) Financial identity fraud — nonfinancial identity fraud — restitution — venue, Arkansas Code § 5-37-227;
- (106) Unlawful acts, Arkansas Code § 5-37-302;
- (107) Theft of communication services — unlawful communication and access devices, Arkansas Code § 5-37-402;
- (108) Animals — marking, branding, or altering brands, Arkansas Code § 5-37-502;
- (109) Insurance fraud by use of a procurer, Arkansas Code § 5-37-505;
- (110) Prohibited activity by a procurer or provider, Arkansas Code § 5-37-506;
- (111) Software and other devices and mechanisms used to falsify electronic records, Arkansas Code § 5-37-507;
- (112) Unauthorized copying or sale of recordings, Arkansas Code § 5-37-510;
- (113) Farm implements — removal or alteration of serial number, Arkansas Code § 5-37-521;
- (114) Fraud in the acquisition of authorization to provide motor vehicle transportation of property, Arkansas Code § 5-37-524;
- (115) Defrauding a materialman, Arkansas Code § 5-37-525;
- (116) Threatening to cause a catastrophe, Arkansas Code § 5-38-202(b);
- (117) Criminal mischief in the first degree, Arkansas Code § 5-38-203;
- (118) Criminal mischief in the second degree, Arkansas Code § 5-38-204;
- (119) Impairing the operation of a vital public facility, Arkansas Code § 5-38-205;
- (120) Damaging wires and other fixtures of telephone, cable, and electric power companies, Arkansas Code § 5-38-206;
- (121) Destruction or removal of a cemetery or grave marker, Arkansas Code § 5-38-207;
- (122) Arson, Arkansas Code § 5-38-301, if a Class B, C, or D felony;
- (123) Reckless burning, Arkansas Code § 5-38-302;
- (124) Unlawful burning — miscellaneous felonies, Arkansas Code § 5-38-311;
- (125) Commercial burglary, Arkansas Code § 5-39-201(b);

- (126) Breaking or entering, Arkansas Code § 5-39-202;
- (127) Criminal trespass, Arkansas Code § 5-39-203;
- (128) Cemeteries — mining and other unlawful entries, Arkansas Code § 5-39-211;
- (129) Criminal trespass on premises located in an unincorporated area, Arkansas Code § 5-39-305;
- (130) Computer fraud, Arkansas Code § 5-41-103;
- (131) Computer trespass, Arkansas Code § 5-41-104;
- (132) Unlawful acts involving a computer, Arkansas Code § 5-41-202;
- (133) Unlawful interference with access to computers — unlawful use or access to computers, Arkansas Code § 5-41-203;
- (134) Unlawful use of encryption, Arkansas Code § 5-41-204;
- (135) Unlawful act involving electronic mail, Arkansas Code § 5-41-205;
- (136) Computer password disclosure, Arkansas Code § 5-41-206;
- (137) Criminal use of property or laundering criminal proceeds, Arkansas Code § 5-42-204;
- (138) Usurping office, Arkansas Code § 5-51-203;
- (139) Usurping, overturning, or seizing government, Arkansas Code § 5-51-204;
- (140) Intentional injury to or interference with government property, Arkansas Code § 5-51-303;
- (141) Intentionally defective workmanship, Arkansas Code § 5-51-304;
- (142) Abuse of public trust, Arkansas Code § 5-52-101;
- (143) Abuse of office, Arkansas Code § 5-52-107;
- (144) Perjury generally, Arkansas Code § 5-53-102;
- (145) Witness bribery, Arkansas Code § 5-53-108;
- (146) Intimidating a witness, Arkansas Code § 5-53-109;
- (147) Tampering, Arkansas Code § 5-53-110;
- (148) Tampering with physical evidence, Arkansas Code § 5-53-111;

- (149) Retaliation against a witness, an informant, or a juror, Arkansas Code § 5-53-112;
- (150) Juror bribery, Arkansas Code § 5-53-113;
- (151) Intimidating a juror, a witness, or an informant, Arkansas Code § 5-53-114;
- (152) Jury tampering, Arkansas Code § 5-53-115;
- (153) Frivolous, groundless, or malicious prosecutions, Arkansas Code § 5-53-131;
- (154) Violation of an order of protection, Arkansas Code § 5-53-134;
- (155) Threatening a judicial official or juror — penalty, Arkansas Code § 5-53-202;
- (156) Interference with a law enforcement or code enforcement officer, Arkansas Code § 5-54-104;
- (157) Hindering apprehension or prosecution, Arkansas Code § 5-54-105;
- (158) Aiding consummation of offense, Arkansas Code § 5-54-106;
- (159) Compounding, Arkansas Code § 5-54-107;
- (160) Second degree escape, Arkansas Code § 5-54-111;
- (161) Third degree escape, Arkansas Code § 5-54-112;
- (162) Permitting escape in the first degree, Arkansas Code § 5-54-113;
- (163) Aiding an unauthorized departure, Arkansas Code § 5-54-116;
- (164) Assisting in or furnishing an implement for escape, Arkansas Code § 5-54-117;
- (165) Furnishing implement for unauthorized departure, Arkansas Code § 5-54-118;
- (166) Furnishing a prohibited article, Arkansas Code § 5-54-119(b);
- (167) Possessing a prohibited article, Arkansas Code § 5-54-119(c);
- (168) Delivering a prohibited article, Arkansas Code § 5-54-119(e);
- (169) Failure to appear, Arkansas Code § 5-54-120;
- (170) Tampering with a public record, Arkansas Code § 5-54-121;

- (171) Filing a false report with a law enforcement agency, Arkansas Code § 5-54-122;
- (172) Fleeing, Arkansas Code § 5-54-125, if a Class C or D felony;
- (173) Killing or injuring animals used by law enforcement or search and rescue dogs, Arkansas Code § 5-54-126;
- (174) Absconding, Arkansas Code § 5-54-131;
- (175) Disarming an officer, Arkansas Code § 5-54-134;
- (176) Unlawful acts — classification, Arkansas Code § 5-55-103;
- (177) Records, Arkansas Code § 5-55-104;
- (178) Traffic in illegal food coupons or vouchers, Arkansas Code § 5-55-201;
- (179) Illegal presentation of food coupons or vouchers for payment, Arkansas Code § 5-55-203;
- (180) Penalty — notice — prosecution, Arkansas Code § 5-55-301;
- (181) Lottery fraud, Arkansas Code § 5-55-501;
- (182) Petition fraud, Arkansas Code § 5-55-601;
- (183) Criminal impersonation in an election, Arkansas Code § 5-55-602;
- (184) Abuse of a corpse, Arkansas Code § 5-60-101;
- (185) Obstruction or interference with emergency medical personnel or first responder, Arkansas Code § 5-60-123;
- (186) Abortion only by licensed physician, Arkansas Code § 5-61-101;
- (187) Unlawful abortion, Arkansas Code § 5-61-102;
- (188) Violation of the Arkansas Human Life Protection Act, Arkansas Code § 5-61-304;
- (189) Violation of the Arkansas Unborn Child Protection Act, Arkansas Code § 5-61-404;
- (190) Offense of cruelty to animals, Arkansas Code § 5-62-103;
- (191) Offense of aggravated cruelty to a dog, cat, or equine — definition, Arkansas Code § 5-62-104;
- (192) Unlawful animal fighting, Arkansas Code § 5-62-120;
- (193) Unlawful bear exploitation, Arkansas Code § 5-62-124;

- (194) Automated telephone solicitation, Arkansas Code § 5-63-204;
- (195) Misleading caller identification information — exemptions — penalties, Arkansas Code § 5-63-205;
- (196) Controlled substances — offenses relating to records, maintaining premises, etc., Arkansas Code § 5-64-402;
- (197) Controlled substances — fraudulent practices, Arkansas Code § 5-64-403;
- (198) Use of a communication device, Arkansas Code § 5-64-404;
- (199) Drug precursors, Arkansas Code § 5-64-415;
- (200) Possession of a controlled substance, Arkansas Code § 5-64-419;
- (201) Possession of methamphetamine, heroin, or cocaine with the purpose to deliver, Arkansas Code § 5-64-420;
- (202) Possession of fentanyl, Arkansas Code § 5-64-421(a);
- (203) Delivery of methamphetamine, heroin, or cocaine, Arkansas Code § 5-64-422, if a Class C felony;
- (204) Manufacture of methamphetamine, heroin, or cocaine, Arkansas Code § 5-64-423, if a Class C felony;
- (205) Possession of a Schedule I or Schedule II controlled substance that is not methamphetamine, fentanyl, heroin, or cocaine with the purpose to deliver, Arkansas Code § 5-64-424;
- (206) Delivery of a Schedule I or Schedule II controlled substance that is not methamphetamine, fentanyl, heroin, or cocaine, Arkansas Code § 5-64-426;
- (207) Manufacture of a Schedule I or Schedule II controlled substance that is not methamphetamine, fentanyl, heroin, or cocaine, Arkansas Code § 5-64-427;
- (208) Possession of a Schedule III controlled substance with the purpose to deliver, Arkansas Code § 5-64-428;
- (209) Delivery of a Schedule III controlled substance, Arkansas Code § 5-64-430;
- (210) Manufacture of a Schedule III controlled substance, Arkansas Code § 5-64-431;

(211) Possession of a Schedule IV or Schedule V controlled substance with the purpose to deliver, Arkansas Code § 5-64-432;

(212) Delivery of a Schedule IV or Schedule V controlled substance, Arkansas Code § 5-64-434;

(213) Manufacture of a Schedule IV or Schedule V controlled substance, Arkansas Code § 5-64-435;

(214) Possession of a Schedule VI controlled substance with the purpose to deliver, Arkansas Code § 5-64-436;

(215) Delivery of a Schedule VI controlled substance, Arkansas Code § 5-64-438, if a Class D, C, or B felony;

(216) Manufacture of a Schedule VI controlled substance, Arkansas Code § 5-64-439, if a Class D, C, or B felony;

(217) Possession of a counterfeit substance, Arkansas Code § 5-64-441;

(218) Possession with the purpose to deliver, delivery, or manufacture of a counterfeit substance, Arkansas Code § 5-64-442;

(219) Possession of drug paraphernalia, Arkansas Code § 5-64-443;

(220) Drug paraphernalia — delivery to a minor, Arkansas Code § 5-64-444;

(221) Advertisement of a counterfeit substance or drug paraphernalia, Arkansas Code § 5-64-445;

(222) Illegal drug paraphernalia business, Arkansas Code § 5-64-802;

(223) Possession — penalty, Arkansas Code § 5-64-1101;

(224) Possession with purpose to manufacture — unlawful distribution, Arkansas Code § 5-64-1102;

(225) Sales limits, Arkansas Code § 5-64-1103;

(226) Possession of anhydrous ammonia in unlawful container, Arkansas Code § 5-64-1301;

(227) Driving or boating while intoxicated, Arkansas Code § 5-65-111, if an unclassified felony;

(228) Keeping a gambling house, Arkansas Code § 5-66-103;

(229) Sports or games — bribery of participants, Arkansas Code § 5-66-115;

- (230) Horseracing — agency service wagering, Arkansas Code § 5-66-117;
- (231) Lottery, etc. — tickets, Arkansas Code § 5-66-118;
- (232) Lottery — promotion through sales, Arkansas Code § 5-66-119;
- (233) Obscene films, Arkansas Code § 5-68-203;
- (234) Promoting obscene materials, Arkansas Code § 5-68-303;
- (235) Promoting obscene performance, Arkansas Code § 5-68-304;
- (236) Obscene performance at a live public show, Arkansas Code § 5-68-305;
- (237) Public display of hard-core sexual conduct, Arkansas Code § 5-68-307;
- (238) Possession, sale, or distribution, Arkansas Code § 5-68-405;
- (239) Pipelines and pipeline facilities, Arkansas Code § 5-69-103;
- (240) Promoting prostitution in the first degree, Arkansas Code § 5-70-104, if a Class D felony;
- (241) Sexual solicitation of a minor, Arkansas Code § 5-70-107;
- (242) Aggravated riot, Arkansas Code § 5-71-202;
- (243) Inciting riot, Arkansas Code § 5-71-203;
- (244) Communicating a false alarm, Arkansas Code § 5-71-210;
- (245) Threatening a fire or bombing, Arkansas Code § 5-71-211;
- (246) Defacing or damaging a public building or an object of public respect, Arkansas Code § 5-71-215;
- (247) Stalking, Arkansas Code § 5-71-229;
- (248) Promoting civil disorder in the first degree, Arkansas Code § 5-71-302;
- (249) Injuring levees, Arkansas Code § 5-72-109;
- (250) Possession of firearms by certain persons, Arkansas Code § 5-73-103, if a Class D felony;
- (251) Criminal use of prohibited weapons, Arkansas Code § 5-73-104, if a Class D felony;
- (252) Defacing a firearm, Arkansas Code § 5-73-106;
- (253) Possession of a defaced firearm, Arkansas Code § 5-73-107;
- (254) Furnishing a deadly weapon to a minor, Arkansas Code § 5-73-109;
- (255) Unlawful procurement of a firearm, Arkansas Code § 5-73-111;

(256) Handguns — possession by a minor or possession on school property, Arkansas Code § 5-73-119;

(257) Booby traps, Arkansas Code § 5-73-126;

(258) Furnishing a handgun or prohibited weapon to a felon, Arkansas Code § 5-73-129;

(259) Sale, rental, or transfer of a firearm to a person prohibited from possessing firearms, Arkansas Code § 5-73-132;

(260) Possession of a taser stun gun, Arkansas Code § 5-73-133;

(261) Engaging in a continuing criminal gang, organization, or enterprise in the first degree, Arkansas Code § 5-74-104(a), if a Class B felony;

(262) Engaging in a continuing criminal gang, organization, or enterprise in the second degree, Arkansas Code § 5-74-104(b), if a Class A, B, or C felony;

(263) Unauthorized use of another person's property to facilitate certain crimes, Arkansas Code § 5-74-105;

(264) Soliciting or recruiting a minor to join or to remain a member of a criminal gang, organization, or enterprise, Arkansas Code § 5-74-203, if a Class C felony;

(265) Operation of aircraft while intoxicated, Arkansas Code § 5-75-102;

(266) Unlawful possession, purchase, sale, or transfer of a blue light or blue lens cap, Arkansas Code § 5-77-201;

(267) Law enforcement insignia sales, Arkansas Code § 5-77-202;

(268) Criminal possession of body armor, Arkansas Code § 5-79-101;

(269) Powers and duties — definition, Arkansas Code § 6-13-701;

(270) Reports by mandated reporters — failure to notify by mandated reporter — making a false report, Arkansas Code § 6-18-110;

(271) Violation of ethical guidelines, Arkansas Code § 6-24-115;

(272) Miscellaneous election felonies, Arkansas Code § 7-1-104;

(273) Destruction of a ballot or ballot materials — prohibited — definitions, Arkansas Code § 7-1-112;

- (274) Political practices pledge — penalty for falsification, Arkansas Code § 7-6-102;
- (275) Contributions — limitations — acceptance or solicitation — use as personal income — disposition, Arkansas Code § 7-6-203;
- (276) Form of verification — penalty for false statement, Arkansas Code § 7-9-109;
- (277) Violation of the Arkansas Hazardous Waste Management Act of 1979, Arkansas Code § 8-7-204;
- (278) Persons required to consent to adoption — consideration for relinquishing minor for adoption, Arkansas Code § 9-9-206;
- (279) Violation of child labor law, Arkansas Code § 11-6-103;
- (280) Penalties for misrepresentation, Arkansas Code § 11-9-106;
- (281) Penalties for discrimination for filing claim, Arkansas Code § 11-9-107;
- (282) Special rules regarding transfers of experience and assignment of rates — definitions, Arkansas Code § 11-10-723;
- (283) Confidentiality of certain law enforcement records — definitions, Arkansas Code § 12-6-701;
- (284) Release or disclosure to unauthorized person — penalty, Arkansas Code § 12-12-212;
- (285) Failure to comply with registration and reporting requirements — refusal to cooperate with assessment process, Arkansas Code § 12-12-904;
- (286) Duty to register or verify registration generally — review of requirements with offenders, Arkansas Code § 12-12-906;
- (287) Electronic monitoring of sex offenders, Arkansas Code § 12-12-923;
- (288) Violation of criminal history information and reporting standards, Arkansas Code § 12-12-1002;
- (289) Procedures of withdrawal, collection, and transmission of DNA samples, Arkansas Code § 12-12-1110;
- (290) Prohibition against disclosure, Arkansas Code § 12-12-1115;

- (291) Prohibition against disclosure for pecuniary gain, Arkansas Code § 12-12-1116;
- (292) False reporting of adult abuse, Arkansas Code § 12-12-1720(d);
- (293) Making a false report under the Child Maltreatment Act, Arkansas Code § 12-18-203;
- (294) Selling or trading position, working condition, or promotion, Arkansas Code § 12-29-110;
- (295) Unauthorized removal or willful mutilation of library materials, Arkansas Code § 13-2-803;
- (296) State archeological landmarks — penalty for disturbing, Arkansas Code § 13-6-306;
- (297) Digging up or removing artifact without permission — penalty, Arkansas Code § 13-6-307;
- (298) Vandalism of archeological sites and artifacts — penalty, Arkansas Code § 13-6-308;
- (299) Trade or collection of remains, Arkansas Code § 13-6-406;
- (300) Display of remains, Arkansas Code § 13-6-407;
- (301) Desecration of burial grounds and burial furniture, Arkansas Code § 13-6-408;
- (302) Timber theft, Arkansas Code § 15-32-603;
- (303) Unauthorized practice of law, Arkansas Code § 16-22-501;
- (304) Violation of bail bond agent law, Arkansas Code § 16-84-114;
- (305) Certificate of indigency, Arkansas Code § 16-87-213;
- (306) Probation — first time offenders — penalties, Arkansas Code § 16-93-302;
- (307) Escape — penalty, Arkansas Code § 16-95-105;
- (308) Violation of the Appraisal Management Company Registration Act, Arkansas Code § 17-14-411;
- (309) Violation of the Uniform Athlete Agents Act, Arkansas Code § 17-16-115;
- (310) Violation of barber law, Arkansas Code § 17-20-308;

- (311) Violation of buyers of precious metals law, Arkansas Code § 17-23-103;
- (312) Unlawful to perform body art on a person under eighteen (18) years of age — documentation and consent, Arkansas Code § 17-26-602;
- (313) Department of Health to license, regulate, and inspect for health hazards, Arkansas Code § 17-26-603;
- (314) Violation of counseling law, Arkansas Code § 17-27-104;
- (315) Violation of embalmers and funeral directors law, Arkansas Code § 17-29-401;
- (316) Violation of engineers law, Arkansas Code § 17-30-102;
- (317) Violation of private investigator and private security agency law, Arkansas Code § 17-40-104;
- (318) Violation of real estate license law, Arkansas Code § 17-42-105;
- (319) Violation of scrap metal dealer law, Arkansas Code § 17-44-102;
- (320) Buyer of used catalytic converter, Arkansas Code § 17-44-109;
- (321) Dental license required — penalty, Arkansas Code § 17-82-301;
- (322) Land ownership by prohibited foreign-party-controlled business prohibited — definitions, Arkansas Code § 18-11-110;
- (323) Interest in agricultural land owned by prohibited foreign parties — exceptions — penalty, Arkansas Code § 18-11-804;
- (324) Violation of unused property law, Arkansas Code § 18-29-204;
- (325) Penalty for failure to discharge lien after payment, Arkansas Code § 18-44-132;
- (326) Penalty for intentional violation of Arkansas procurement laws, Arkansas Code § 19-11-270;
- (327) Violation of the Arkansas Physician Order for Life-Sustaining Treatment Act, Arkansas Code § 20-6-310;
- (328) Violation of the Prescription Drug Monitoring Program Act, Arkansas Code § 20-7-611;
- (329) Qualifications to perform an abortion, Arkansas Code § 20-16-606;
- (330) Violation of human cloning law, Arkansas Code § 20-16-1002;

- (331) Violation of the Pain-Capable Unborn Child Protection Act, Arkansas Code § 20-16-1405;
- (332) Violation of the Cherish Act, Arkansas Code § 20-16-2006;
- (333) Violation of the Down Syndrome Discrimination by Abortion Prohibition Act, Arkansas Code § 20-16-2104;
- (334) Violation of the Cemetery Act for Perpetually Maintained Cemeteries, Arkansas Code § 20-17-1018;
- (335) Inspectors — failure to perform duties, Arkansas Code § 20-23-403;
- (336) Violation of disposal of commercial medical waste law, Arkansas Code § 20-32-103;
- (337) Violation of the Arkansas Meat and Meat Products Inspection Act, Arkansas Code § 20-60-205;
- (338) Violation of the Uniform Narcotic Drug Act, Arkansas Code § 20-64-220;
- (339) Violation of the Arkansas Drug Abuse Control Act, Arkansas Code § 20-64-304;
- (340) Violation of law regulating state employment of constitutional officers and their spouses, Arkansas Code § 21-1-405;
- (341) Wrongful possession, concealment, or destruction of software or hardware — criminal offense, Arkansas Code § 21-14-312;
- (342) Violation of the Arkansas State Capitol and Historical Monument Protection Act, Arkansas Code § 22-3-2106;
- (343) Misleading conduct or use of words “credit union”, Arkansas Code § 23-35-801;
- (344) Violation of prohibition of advanced fee loan brokerage, Arkansas Code § 23-39-405;
- (345) Violation of the Fair Mortgage Lending Act, Arkansas Code § 23-39-516;
- (346) Violation of the Arkansas Prepaid Funeral Benefits Law, Arkansas Code § 23-40-106;
- (347) Violation of the Arkansas Securities Act, Arkansas Code § 23-42-104;

(348) Embezzlement, misuse of funds, etc., by officer, director, etc., Arkansas Code § 23-50-105;

(349) Violation of the Uniform Money Services Act, Arkansas Code § 23-55-806;

(350) Penalty for false or misleading statements, Arkansas Code § 23-60-109;

(351) Unauthorized insurance transactions prohibited, Arkansas Code § 23-65-101;

(352) Violation of fraudulent insurance acts prevention law, Arkansas Code § 23-66-512;

(353) Maintenance of home office and records — definitions, Arkansas Code § 23-69-134;

(354) Violation of the Amusement Ride and Amusement Attraction Safety Insurance Act, Arkansas Code § 23-89-504;

(355) Violation of used motor vehicle buyers protection law, Arkansas Code § 23-112-603;

(356) False statement on license application, Arkansas Code § 23-115-903;

(357) Examination of office, Arkansas Code § 25-16-614;

(358) Attempt to evade or defeat tax, Arkansas Code § 26-18-201;

(359) Failure to pay or file return, Arkansas Code § 26-18-202;

(360) False or fraudulent reports, Arkansas Code § 26-18-203;

(361) False answers to questions or affidavits, Arkansas Code § 26-18-204;

(362) Failure to obey summons, Arkansas Code § 26-18-205;

(363) Distribution of funds — definition, Arkansas Code § 26-37-205;

(364) Counterfeiting of stamps unlawful — penalty, Arkansas Code § 26-57-240;

(365) Reuse of containers unlawful — penalty, Arkansas Code § 26-57-241;

(366) Unstamped products or products with unpaid taxes — criminal offense — deceptive trade practice, Arkansas Code § 26-57-245;

(367) Cigarette inputs — cigarette rolling machines, Arkansas Code § 26-57-263;

(368) False evidence of title or registration, Arkansas Code § 27-14-307;

(369) Vehicles or engines without manufacturer's numbers, Arkansas Code § 27-14-2210;

(370) Altering or changing engine or other numbers, Arkansas Code § 27-14-2211;

(371) Mutilation of serial numbers, Arkansas Code § 27-14-2212;

(372) Violation of the Arkansas Online Insurance Verification System Act, Arkansas Code § 27-22-210;

(373) Racing or observing a drag race as a spectator on a public highway — definitions, Arkansas Code § 27-50-309;

(374) Penalty for interference with devices in construction areas, Arkansas Code § 27-52-102;

(375) Requirements in accidents involving death or personal injuries — definitions, Arkansas Code § 27-53-101;

(376) Accidents involving damage only to vehicle or personal property of another person — removal of vehicle, Arkansas Code § 27-53-102;

(377) Duty to give information, remain at the scene of an accident, and render aid, Arkansas Code § 27-53-103;

(378) Contracts between commission and employees, Arkansas Code § 27-65-132;

(379) Corruption in office, Arkansas Code § 27-65-133;

(380) Boating equipment without boat identification number, Arkansas Code § 27-101-703;

(381) Altering or changing boating identification numbers, Arkansas Code § 27-101-704;

(382) Mutilation of boating identification numbers, Arkansas Code § 27-101-705;

(383) Operation of a prohibited aircraft, Arkansas Code § 27-116-502;

(384) Aggravated assault upon a healthcare worker, Arkansas Code § 5-13-215;

(385) Unlawful creation or distribution of deepfake visual material, Arkansas Code § 5-14-139;

(386) Unlawful use of a communication device during the commission of a human trafficking offense, Arkansas Code § 5-18-109;

(387) Unlawful distribution of an intimate image, Arkansas Code § 5-26-314;

(388) Harboring an endangered runaway minor, Arkansas Code § 5-27-234;

(389) Possession, manufacture, transport, or distribution of a child sex doll, Arkansas Code § 5-27-308;

(390) Organized retail theft, Arkansas Code § 5-36-127;

(391) Mail theft, Arkansas Code § 5-36-128;

(392) Theft or unauthorized reproduction of a mail receptacle key or lock, Arkansas Code § 5-36-129;

(393) Gift card fraud, Arkansas Code § 5-37-229;

(394) ATM impairment, Arkansas Code § 5-38-208;

(395) Penalties associated with sexual solicitation, Arkansas Code § 5-70-103;

(396) Prohibitions related to trade secrets, Arkansas Code § 6-60-1813;

(397) Penalties for violations related to intellectual property, Arkansas Code § 6-60-1814; and

(398) Tampering with rail infrastructure, Arkansas Code § 23-12-808.

**Authority.** Arkansas Code § 16-90-802.

**Codification Notes.** "ATM" means automated teller machine.

**History.** Ark. R. 2026-12 (eff. February 20, 2026)