

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

HOUSE BILL 1587

5 By: Representative Gazaway
6

For An Act To Be Entitled

8 AN ACT CONCERNING HABITUAL OFFENDERS; REQUIRING A
9 PERSON CONVICTED AS A HABITUAL OFFENDER TO SERVE A
10 PERIOD OF TIME IN PRISON; AND FOR OTHER PURPOSES.
11

Subtitle

12 CONCERNING HABITUAL OFFENDERS; AND
13 REQUIRING A PERSON CONVICTED AS A
14 HABITUAL OFFENDER TO SERVE A PERIOD OF
15 TIME IN PRISON.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 5-4-501(a)(1), concerning sentencing for a
23 habitual offender, is amended to read as follows:

24 (a)(1) A defendant meeting the following criteria may be sentenced to
25 pay any fine authorized by law for the felony conviction and shall be
26 sentenced to an extended term of imprisonment as set forth in subdivision
27 (a)(2) of this section:

28 (A) A defendant who:

29 (i) Is convicted of a felony other than those
30 enumerated in subsections (c) and (d) of this section committed after June
31 30, 1993; and

32 (ii) Has previously been convicted of more than one
33 (1) felony but fewer than four (4) felonies or who has been found guilty of
34 more than one (1) but fewer than four (4) felonies;

35 (B) A defendant who:

36 (i) Is convicted of any felony enumerated in



1 subsection (c) of this section committed after August 31, 1997; and

2 (ii) Has previously been convicted of more than one
 3 (1) felony but fewer than four (4) felonies not enumerated in subsection (c)
 4 of this section or who has been found guilty of more than one (1) but fewer
 5 than four (4) felonies not enumerated in subsection (c) of this section; or

6 (C) A defendant who:

7 (i) Is convicted of any felony enumerated in
 8 subsection (d) of this section committed after August 31, 1997; and

9 (ii) Has previously been convicted of more than one
 10 (1) felony but fewer than four (4) felonies not enumerated in subsection (d)
 11 of this section or has been found guilty of more than one (1) but fewer than
 12 four (4) felonies not enumerated in subsection (d) of this section.

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 14 SECTION 2. Arkansas Code § 5-4-501(b)(1), concerning sentencing for a
 15 habitual offender, is amended to read as follows:

16 (b)(1) A defendant meeting the following criteria may be sentenced to
 17 pay any fine authorized by law for the felony conviction and shall be
 18 sentenced to an extended term of imprisonment as set forth in subdivision
 19 (b)(2) of this section:

20 (A) A defendant who:

21 (i) Is convicted of a felony other than a felony
 22 enumerated in subsections (c) and (d) of this section committed after June
 23 30, 1993; and

24 (ii) Has previously been convicted of four (4) or
 25 more felonies or who has been found guilty of four (4) or more felonies;

26 (B) A defendant who:

27 (i) Is convicted of any felony enumerated in
 28 subsection (c) of this section committed after June 30, 1997; and

29 (ii) Has previously been convicted of four (4) or
 30 more felonies not enumerated in subsection (c) of this section or who has
 31 been found guilty of four (4) or more felonies not enumerated in subsection
 32 (c) of this section; or

33 (C) A defendant who:

34 (i) Is convicted of any felony enumerated in
 35 subsection (d) of this section committed after June 30, 1997; and

36 (ii) Has previously been convicted of four (4) or

1 more felonies not enumerated in subsection (d) of this section or who has
2 been found guilty of four (4) or more felonies not enumerated in subsection
3 (d) of this section.

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APPROVED: 4/21/21