

# Arkansas Game and Fish Commission

## Code Book

**The regulations in this Code Book are hereby adopted by the Arkansas State Game and Fish Commission under authority of Amendment 35 to the Constitution of the State of Arkansas. All laws, rules, regulations, or orders in conflict with the regulations in this Code Book are hereby repealed by the Arkansas State Game and Fish Commission.**

### 01.00-J Enhanced Penalties

A person who is convicted of violating a Commission regulation and who has previously been convicted of violating the same or similar regulation may, at the discretion of the court, be subject to enhanced penalties as outlined in the below sentencing chart:

#### A. Class 1 Offense

- **Enhanced Penalty for 2nd Offense:** Same as Class 2 Base Penalty
- **Enhanced Penalty for 3rd Offense:** Same as Class 3 Base Penalty
- **Enhanced Penalty for 4th and All Subsequent Offenses:** Same as Class 4 Base Penalty, mandatory jail sentence

#### B. Class 2 Offense

- **Enhanced Penalty for 2nd Offense:** Same as Class 3 Base Penalty
- **Enhanced Penalty for 3rd Offense:** Same as Class 4 Base Penalty, mandatory jail sentence
- **Enhanced Penalty for 4th and All Subsequent Offenses:** Same as Class 5 Base Penalty, mandatory jail sentence

#### C. Class 3 Offense

- **Enhanced Penalty for 2nd Offense:** Same as Class 4 Base Penalty
- **Enhanced Penalty for 3rd Offense:** Same as Class 5 Base Penalty, mandatory jail sentence
- **Enhanced Penalty for 4th and all Subsequent Offenses:** Same as Class 5 Base Penalty, mandatory jail sentence

#### D. Class 4 Offense

- **Enhanced Penalty for 2nd Offense:** Same as Class 5 Base Penalty
- **Enhanced Penalty for 3rd Offense:** Same as Class 5 Base Penalty, mandatory jail sentence
- **Enhanced Penalty for 4th and all Subsequent Offenses:** Same as Class 5 Base Penalty, mandatory jail sentence

#### E. Class 5 Offense

- **Enhanced Penalty for 2nd Offense:** Same as Class 5 Base Penalty, mandatory jail sentence
- **Enhanced Penalty for 3rd Offense:** Same as Class 5 Base Penalty, mandatory jail sentence
- **Enhanced Penalty for 4th and all Subsequent Offenses:** Same as Class 5 Base Penalty, mandatory jail sentence