

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Senator Bookout**

**A BILL ACT 583 OF 1991**  
**SENATE BILL 361**

**For An Act To Be Entitled**

8 "AN ACT TO AMEND ARKANSAS CODE 16-93-803(a) RELATING TO  
9 PAROLE OF NONVIOLENT OFFENDERS; AND FOR OTHER PURPOSES."

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11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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13 SECTION 1. Arkansas Code 16-93-803(a) is hereby amended to read as  
14 follows:

15 "(a) Any inmate of the Department of Correction who is serving under a  
16 commitment to the department for the commission of a nonviolent offense and  
17 who has no previous convictions for other than nonviolent offenses and who is  
18 not otherwise eligible for parole may have his or her application considered  
19 by the State Board of Parole and Community Rehabilitation for release on  
20 parole to participate in a work program as provided for in this subchapter if:

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22 (1) The family of the applicant or some other suitable person or entity  
23 agrees to sponsor the applicant with shelter, food, and clothing; and

24 (2) The parole officer for the region in which the applicant will  
25 reside agrees to supervise the applicant in accordance with the rules and  
26 guidelines prescribed by the State Board of Parole and Community  
27 Rehabilitation; and

28 (3) The prosecuting attorney of the county wherein the crime was  
29 committed approves the release in writing if the applicant is serving a second  
30 or subsequent confinement in the department."

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32 SECTION 2. All provisions of this act of a general and permanent nature  
33 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
34 Revision Commission shall incorporate the same in the Code.

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36 SECTION 3. If any provision of this act or the application thereof to

1 any person or circumstance is held invalid, such invalidity shall not affect  
2 other provisions or applications of the act which can be given effect without  
3 the invalid provision or application, and to this end the provisions of this  
4 act are declared to be severable.

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6 SECTION 4. All laws and parts of laws in conflict with this act are  
7 hereby repealed.

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9 SECTION 5. EMERGENCY. *It is hereby found and determined by the General*  
10 *Assembly that correction facilities in the State are at or near capacity; that*  
11 *the current law relating to parole of non-violent offenders is unduly*  
12 *restrictive in some respects and should be relaxed to permit the parole of*  
13 *some such offenders under work release and other programs; that this act is*  
14 *designed to accomplish this purpose and should be given effect immediately.*  
15 *Therefore an emergency is hereby declared to exist and this act being*  
16 *necessary for the preservation of the public peace, health and safety shall be*  
17 *in full force and effect from and after its passage and approval.*

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/s/Bookout

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APPROVED: 3-18-91

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