

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**

A Bill

ACT 577 OF 1995
HOUSE BILL 1287

4 **By: Representatives Beatty, M. Wilson, B.G. Hendrix**

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 16-93-1202 TO REDEFINE THE
9 TERM `_TARGET GROUP_`; AND FOR OTHER PURPOSES."

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Subtitle

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12 "TO AMEND ARKANSAS CODE 16-93-1202 TO
13 REDEFINE THE TERM `_TARGET GROUP_`"

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

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17 SECTION 1. Arkansas Code 16-93-1202 (1)(1) is amended to read as
18 follows:

19 "(1)(1) `_Target group_` means a group of offenders and offenses,
20 determined to be, but not limited to, theft, theft by receiving, hot checks,
21 commercial burglary, failure to appear, fraudulent use of credit cards,
22 criminal mischief, breaking or entering, drug paraphernalia, driving while
23 intoxicated, fourth or subsequent offense, and all other Class C or D felonies
24 which are not either violent or sexual and which meet the eligibility criteria
25 determined by the General Assembly to have significant impact on the use of
26 correctional resources. Offenders committing solicitation, attempt or
27 conspiracy of the substantive offenses listed above are also included in the
28 group. For the purposes of this subchapter, `_violent or sexual_` includes all
29 `_offenses against the person_` codified in Chapters 10-14 of Title 5 of the
30 Arkansas Code and any offense containing as an element of the offense the
31 following:

- 32 (1) the use of physical force;
33 (2) the use or threatened use of serious physical force;
34 (3) the infliction of physical harm; or
35 (4) the creation of a substantial risk of serious physical harm."

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1 SECTION 2. The inmate transfer provisions in Arkansas Code Annotated
2 16-93-206 (b) (1) (A) (ii) and 16-93-1301(b) (2) shall expire on April 1, 1997.

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4 SECTION 3. All provisions of this act of a general and permanent nature
5 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
6 Revision Commission shall incorporate the same in the Code.

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8 SECTION 4. If any provision of this act or the application thereof to
9 any person or circumstance is held invalid, such invalidity shall not affect
10 other provisions or applications of the act which can be given effect without
11 the invalid provision or application, and to this end the provisions of this
12 act are declared to be severable.

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14 SECTION 5. All laws and parts of laws in conflict with this act are
15 hereby repealed.

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17 SECTION 6. EMERGENCY. It is hereby found and determined by the General
18 Assembly that the inmate transfer provisions of Arkansas Code 16-93-206 and
19 1301 expire on April 1, 1995; that those provisions should continue in effect
20 until April 1, 1997; that this act so provides; and that unless this act goes
21 into effect immediately it will not be effective until after the expiration of
22 those provisions. Therefore, an emergency is hereby declared to exist and
23 this act being necessary for the immediate preservation of the public peace,
24 health and safety shall be in full force and effect from and after its passage
25 and approval.

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28 /s/Rep. Beatty, et al

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30 APPROVED: 3-9-95

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