

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 1261 of the Regular Session

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: S3/21/05

A Bill

HOUSE BILL 2087

5 By: Representative Adams
6
7

8 **For An Act To Be Entitled**

9 AN ACT TO ALLOW A *CIRCUIT JUDGE* TO TEMPORARILY
10 RELEASE NONVIOLENT OFFENDERS AWAITING TRANSFER TO
11 THE DEPARTMENT OF CORRECTION OR THE DEPARTMENT OF
12 COMMUNITY CORRECTION; AND FOR OTHER PURPOSES.
13

14 **Subtitle**

15 AN ACT TO ALLOW A *CIRCUIT JUDGE* TO
16 TEMPORARILY RELEASE NONVIOLENT OFFENDERS
17 AWAITING TRANSFER TO THE DEPARTMENT OF
18 CORRECTION OR THE DEPARTMENT OF
19 COMMUNITY CORRECTION.
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. Post-conviction release of nonviolent offenders.

25 (a) Any circuit judge may authorize the temporary release of an
26 offender in the sheriff's custody who has:

27 (1) Pleaded guilty or nolo contendere to or been found guilty of
28 a nonviolent felony offense in circuit court except nonviolent Class Y felony
29 offenses listed in § 16-93-611; and

30 (2) Been sentenced to a term of imprisonment and committed to
31 the Department of Correction or the Department of Community Correction and is
32 awaiting transfer to the Department of Correction or the Department of
33 Community Correction.

34 (b)(1) The circuit judge may authorize the release under the terms and
35 conditions which the circuit judge determines are necessary to protect the



1 public and to ensure the offender's return to custody upon notice that bed
2 space is available at the Department of Correction or the Department of
3 Community Correction.

4 (2) The circuit judge may require a cash or professional bond to
5 be posted in an amount suitable to ensure the offender's return to custody.

6
7 /s/ Adams
8

9
10 APPROVED: 3/29/2005
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

1