1 State of Arkansas As Engrossed: \$2/22/05 2 85th General Assembly ABill 3 Regular Session, 2005 SENATE BILL 3 4 5 By: Senator Luker 6 By: Representatives D. Johnson, Bond 7 7 7 7 9 For An Act To Be Entitled 10 AN ACT TO AMEND ARKANSAS CODE § 12-27-127 TO 11 CREATE AN INCENTIVE FOR SUCCESSFUL 12 REHABILITATION; AND FOR PURPOSES. 13 14 14 Subtitle 15 AN ACT TO AMEND ARKANSAS CODE § 12-27- 16 127 TO CREATE AN INCENTIVE FOR 17 SUCCESSFUL REHABILITATION. 18 19 19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS: 11 SUCCESSFUL REHABILITATION. 12 SECTION 1. Arkansas Code § 12-27-127 is amended to add an additional 13 subsection to read as follows: 14 (c)(1) Upon receipt of a referral from the Director of the Department 13 subsection to read as follows: 14 Forent and thall have the power, in accordance with rules	ed
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25 <u>of Community Correction or his or her designee, the Post Prison Transfer</u>	
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26 <u>Board shall have the power, in accordance with rules and procedures</u>	
27 promulgated by the Board of Corrections, to release from confinement an	
28 <u>inmate who has been:</u>	•-
29 (A) Sentenced and judicially transferred to the Departmen	<u>nt</u>
30 <u>of Community Correction;</u> 31 (B) Incarcerated for a minimum of two hundred seventy	
 32 (270) days; and 33 (C) Determined by the Department of Community Correction 	
34 to have successfully completed its therapeutic program.	
35 (2)(A) The General Assembly finds that the power granted to the	e



As Engrossed: S2/22/05

SB389

1	Post Prison Transfer Board under subdivision (c)(l) of this section will:
2	(i) Aid the therapeutic rehabilitation of the
3	inmates judicially transferred to the Department of Community Correction; and
4	(ii) More efficiently use the correctional resources
5	of the State of Arkansas.
6	(B) The power granted to the Post Prison Transfer Board
7	under subdivision (c)(l) of this section shall be the sole authority required
8	for the accomplishment of the purposes set forth in this subdivision (c)(2),
9	and when the board exercises its power under this section, it shall not be
10	necessary for the board to comply with general provisions of other laws
11	dealing with the minimum time constraints as applied to release eligibility.
12	(3) Nothing in this subsection (c) shall be construed as
13	granting the Post Prison Transfer Board or the Department of Community
14	Correction the authority to either detain an inmate beyond the sentence
15	imposed upon him or her by a transferring court or to shorten that sentence.
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17	/s/ Luker
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20	APPROVED: 3/09/2005
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