

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

A Bill

SENATE BILL 262

5 By: Senator J. Woods
6 By: Representative Bennett
7

For An Act To Be Entitled

9 AN ACT PERTAINING TO PLACEMENT IN A COMMUNITY
10 CORRECTION CENTER; AND FOR OTHER PURPOSES.
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Subtitle

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14 PERTAINING TO PLACEMENT IN A COMMUNITY
15 CORRECTION CENTER.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code § 5-4-312, concerning presentence
21 investigation and placement in a community correction program, is amended to
22 add a new subsection to read as follows:

23 (d)(1) If after receipt of an order directing a defendant to a
24 community correction center, the Department of Community Correction
25 determines that the defendant is not eligible for placement in a community
26 correction program under § 16-93-1201 et seq., the Department of Community
27 Correction shall not admit the defendant but shall immediately notify the
28 prosecuting attorney in writing.

29 (2) After receipt of the notice required under subdivision
30 (d)(1) of this section, the prosecuting attorney shall notify the court of
31 the defendant's ineligibility for placement in a community correction center
32 and the court shall resentence the defendant accordingly.
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34 SECTION 2. Arkansas § 16-93-1202(6), concerning the definition of
35 "eligibility" as it relates to community punishment, is amended to read as
36 follows:



1 (6) "Eligibility" or "eligible offender" means any person convicted of
2 a felony who is by law eligible for such sentence and who falls within the
3 population targeted by the General Assembly for inclusion in community
4 correction facilities or who is otherwise under the supervision of the
5 Department of Community Correction and who has not been subject to a
6 disciplinary violation for a violent act or for sexual misconduct while in
7 the custody of a jail or correctional facility;

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17 **APPROVED: 03/18/2015**
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