

ARKANSAS SENATE
85th General Assembly - Regular Session, 2005
Amendment Form

Subtitle of Senate Bill No. 386

"AN ACT TO PROVIDE THAT IMPRISONMENT INCLUDES HOME DETENTION AND TO
AUTHORIZE THE BOARD OF CORRECTIONS TO PROMULGATE RULES REGARDING
INCARCERATION IN A HOME DETENTION PROGRAM."

Amendment No. 1 to Senate Bill No. 386.

Amend Senate Bill No. 386 as originally introduced:

Page 3, delete lines 11 through 13, and substitute the following:

"(b)(1)(A) Subject to the provisions of subdivision (b)(2) of this section, a defendant convicted of a felony or misdemeanor and sentenced to imprisonment may be incarcerated in a home detention program when:

(i) In the independent opinions of a prison physician and a consultant physician from the community, a person who is incarcerated in the Department of Correction or Department of Community Correction has an incurable illness which, on the average, will result in death within twelve (12) months; or

(ii) A person who is incarcerated in the Department of Correction or Department of Community Correction is permanently physically or mentally incapacitated to the degree that the community criteria are met for placement in a nursing home, rehabilitation facility, or setting providing a similar level of care.

(B) The Director of the Department of Correction or the Director of the Department of Community Correction shall make the facts described in subdivision (b)(1)(A) of this section known to the Post Prison Transfer Board for consideration of early release to home detention."



The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Luker
GRH/GRH - 02-18-2005 18:30
GRH202

Secretary