

.As Engrossed: 3/5/91

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representative Jodie Mahony**

A Bill

HOUSE BILL 1030

For An Act To Be Entitled

8 "AN ACT TO REQUIRE PERSONS CONVICTED OF A FELONY OR CLASS
9 A MISDEMEANOR, TO MAKE A GOOD FAITH EFFORT TOWARDS
10 COMPLETION OF A HIGH SCHOOL DIPLOMA OR GENERAL EDUCATION
11 DEVELOPMENT (GED) CERTIFICATE, AS A REQUIREMENT FOR
12 SUSPENSION OF SENTENCE OR PROBATION, AND FOR OTHER
13 PURPOSES."

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

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17 SECTION 1. (a) As an additional requirement for suspension of
18 sentence or probation the court shall require any person who is convicted of a
19 felony or Class A Misdemeanor to make a good faith effort towards completion
20 of a high school diploma or a General Education Development (GED) certificate
21 unless the person has already achieved the diploma or certificate. *Such*
22 *requirement shall be implemented only upon the acceptance of the person by the*
23 *administrative head of the school or program. If no appropriate school or*
24 *program can be found, the requirement is of no effect.* The court shall not
25 revoke a suspension of sentence or probation because of the persons inability
26 to achieve the degree or certificate but shall revoke a suspension or
27 probation if the person fails to make a good faith effort to achieve the
28 degree of certificate. *The court, after consultation with the school or*
29 *program, shall determine the appropriate documentation for those individuals*
30 *participating under the provisions of this act.*

31 (b) "A good faith effort" means the person has been enrolled in a
32 program of instruction and is attending school.

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34 SECTION 2. All provisions of this act of a general and permanent
35 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas

1 Code Revision Commission shall incorporate the same in the Code.

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3 SECTION 3. If any provision of this act or the application thereof to
4 any person or circumstance is held invalid, such invalidity shall not affect
5 other provisions or applications of the act which can be given effect without
6 the invalid provision or application, and to this end the provisions of this
7 act are declared to be severable.

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9 SECTION 4. All laws and parts of laws in conflict with this act are
10 hereby repealed.

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12 /s/J. Mahony

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