

1 **State of Arkansas**

2 **78th General Assembly**

3 **Regular Session, 1991**

A Bill

HOUSE BILL 1383

4 **By: Representatives Hendrix, Lipton, McGinnis, King and B. Wood**

5 ***Representatives O. Miller, Shaver, M. Wilson, Beatty, Northcutt, Jones, Thurman, Porter,***

6 ***Forgey, Bryan, Hinshaw and Henry***

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For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 5-4-402; AND FOR OTHER
10 PURPOSES."

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

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14 SECTION 1. Arkansas Code 5-4-402 (1) is hereby amended to read as
15 follows:

16 "Except as provided in §5-4-203 and §5-4-304, a defendant convicted of a
17 felony and sentenced to imprisonment shall be committed to the custody of the
18 Department of Correction for the term of his sentence or until released in
19 accordance with law. If said sentence is five (5) years or less said
20 defendant may be committed to the county jail or other authorized institution
21 designated by the court for the term of his sentence or until released in
22 accordance with law."

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24 SECTION 2. The sheriff of the county where such defendant has been
25 sentenced shall have the authority to assign that inmate to work details that
26 would be of benefit to the community. Any legal liability which results from
27 this work detail will be borne by the state, not by the county. Additionally,
28 the cost of any medical treatment required by inmates sentenced under this Act
29 and assigned to a work detail, will be the responsibility of the state not the
30 county. Lastly, the State will reimburse the counties, an amount set by the
31 Arkansas Board of Correction, for housing inmates in the county jails under
32 this Act.

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34 SECTION 3. If any provision of this Act or the application thereof to
35 any person or circumstance is held invalid, such invalidity shall not affect

1 other provisions or applications of the Act which can be given effect without
2 the invalid provision or application, and to this end the provisions of this
3 Act are declared to be severable.

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5 SECTION 4. All provisions of this Act of a general and permanent nature
6 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
7 Revision Commission shall incorporate the same in the Code.

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9 SECTION 5. GENERAL REPEALER. All laws and parts of laws in conflict
10 with this Act are hereby repealed.

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/s/B. J. Hendrix, et al

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