

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**

A Bill

HOUSE BILL 1405

4 **By: Representatives M. Wilson, King and Hendrix and B. Wood, and Representative**
5 ***Henry***

For An Act To Be Entitled

9 "AN ACT TO AUTHORIZE THE ARKANSAS DEPARTMENT OF
10 CORRECTION, AS CONDITION OF PAROLE OR OTHER COMMUNITY
11 SUPERVISION, TO REQUIRE PAROLEES OR OTHER INMATES UNDER
12 COMMUNITY SUPERVISION TO PARTICIPATE IN A HOME DETENTION
13 PROGRAM TO BE SUPERVISED ELECTRONICALLY; AND FOR OTHER
14 PURPOSES."

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

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18 SECTION 1. "Approved electronic monitoring or supervising device" means
19 any electronic device approved by the Board of Correction which meets the
20 minimum Federal Communications Commission regulations and requirements, and
21 which is limited in capability to recording or transmitting information as to
22 the criminal defendant's presence in the home.

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24 SECTION 2. In all instances where the Department may release any inmate
25 to community supervision, in addition to all other conditions which may be
26 imposed by the Department, the Department may require the criminal defendant
27 to participate in a home detention program. The term of the home detention
28 shall not exceed the maximum number of years of imprisonment or supervision to
29 which the inmate could be sentenced, and the length of time the defendant
30 participates in a home detention program and any good time credit awarded
31 shall be credited against the defendant's sentence.

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33 SECTION 3. The Board of Correction shall establish policy and
34 procedures for participation in a home detention program, including but not
35 limited to program criteria, terms and conditions of release.

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

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

SECTION 6. All laws and parts of laws in conflict with this act are hereby repealed.

/s/ M. Wilson et al