

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representatives Thicksten and Mahony**

A Bill

HOUSE BILL 1236

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE § 5-4-323 TO REQUIRE THAT A
9 COURT DEMANDING GOOD FAITH EFFORTS TOWARD COMPLETION OF A
10 HIGH SCHOOL DIPLOMA OR A GED CERTIFICATE AS A CONDITION OF
11 PROBATION OR SUSPENDED SENTENCE SHALL PROVIDE
12 DOCUMENTATION OF PROGRAM PARTICIPATION TO THE GOVERNOR_S
13 COMMISSION ON ADULT LITERACY; AND FOR OTHER PURPOSES."

Subtitle

16 "TO REQUIRE THAT COURTS SHALL PROVIDE DOCUMENTATION OF
17 HIGH SCHOOL OR GED PROGRAM PARTICIPATION TO THE COMMISSION
18 ON ADULT LITERACY."

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

22 SECTION 1. Arkansas Code § 5-4-323(a) is hereby amended to read as
23 follows:

24 "(a) (1) (A) As an additional requirement for suspension of sentence or
25 probation, the court shall require any person who is convicted of a felony or
26 Class A misdemeanor to make a good faith effort towards completion of a high
27 school diploma or a General Education Development (GED) certificate unless the
28 person has already achieved the diploma or certificate.

29 (B) Such requirement shall be implemented only upon the
30 acceptance of the person by the administrative head of the school or program.

31 (C) If no appropriate school or program can be found, the
32 requirement is of no effect.

33 (2) The court, after consultation with the school or program,
34 shall determine the appropriate documentation for those individuals
35 participating under the provisions of this section and shall report all

1 documentation of program participation on a quarterly basis to the
2 *Administrative Office of the Courts* who shall then report to the Governor's
3 Commission on Adult Literacy."

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5 SECTION 2. 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 3. If any provision of this act or the application thereof to
10 any person or circumstance is held invalid, such invalidity shall not affect
11 other provisions or applications of the act which can be given effect without
12 the invalid provision or application, and to this end the provisions of this
13 act are declared to be severable.

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16 hereby repealed.

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18 */s/E. Thicksten, et al*

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