Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1	State of Arkansas	As Engrossed: S2/6/03	
2	84th General Assembly	A Bill	
3	Regular Session, 2003HOUSE BILL10		HOUSE BILL 1077
4			
5	By: Representative Verkamp		
6			
7			
8	For An Act To Be Entitled		
9	AN ACT TO AMEND ARKANSAS CODE § 5-65-109 TO ALLOW		
10	SENTENCING FOR DWI TO PROCEED IF RECEIPT OF THE		
11	PRESENTENCE REPORT HAS BEEN DELAYED BY THE		
12	DEFENDA	NT; AND FOR OTHER PURPOSES.	
13			
14		Subtitle	
15	AN A	CT TO AMEND ARKANSAS CODE § 5-65-109)
16	TO A	LLOW SENTENCING FOR DWI TO PROCEED	
17	IF R	ECEIPT OF THE PRESENTENCE REPORT HAS	3
18	BEEN	DELAYED BY THE DEFENDANT.	
19			
20			
21	BE IT ENACTED BY THE (GENERAL ASSEMBLY OF THE STATE OF ARK	ANSAS:
22			
23	SECTION 1. Arka	ansas Code § 5-65-109 is amended to	read as follows:
24	5-65-109. Prese	entencing report.	
25	(a) Upon a plea	a of guilty or nolo contendere to or	a finding of guilt
26	of violating § 5-65-10	03, the court shall immediately requ	est, and the Highway
27	Safety Program or its designee shall provide, a presentence screening and		
28	assessment report of the defendant.		
29	(b) <u>(1)</u> The presentence report shall be provided within thirty (30)		
30	days of the request, and the court shall not pronounce sentence until receipt		
31	of the presentence report.		
32	(2)(A) After entry of a plea of guilty, nolo contendere, or a		
33	finding of guilt, if the sentencing of the defendant is delayed by the		
34	defendant, the clerk shall notify the defendant by first class mail to the		
35	defendant's last known address that the defendant has fifteen (15) days to		
36	appear and show cause for failing to appear for sentencing.		



1	(B) After expiration of the fifteen (15) days, the court
2	may proceed with sentencing even in the absence of the defendant.
3	(c) The report shall include, but not be limited to, the offender's
4	driving record, an alcohol problem assessment, and a victim impact statement
5	where applicable.
6	
7	/s/ Verkamp
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25 26	
20	
28	
29	
30	
31	
32	
33	
34	
34 35	