

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  
2 84th General Assembly  
3 Regular Session, 2003

# A Bill

HOUSE BILL 1648

4  
5 By: Representative Judy  
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## For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE § 12-27-125,  
10 CONCERNING THE FUNCTIONS AND POWERS OF THE  
11 DEPARTMENT OF COMMUNITY CORRECTION, TO LIMIT THE  
12 LOCATION OF COMMUNITY CORRECTION FACILITIES AND  
13 PROBATION OFFICES NEAR ANY SCHOOLHOUSES OR DAY  
14 CARE FACILITIES; AND FOR OTHER PURPOSES.

## Subtitle

16 TO LIMIT THE LOCATION OF FACILITIES AND  
17 PROBATION OFFICES OWNED AND LEASED BY THE  
18 DEPARTMENT OF COMMUNITY CORRECTION.  
19

20  
21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 SECTION 1. Arkansas Code § 12-27-125(b)(4), concerning the functions  
24 and powers of the Department of Community Correction, is amended to read as  
25 follows:

26 (4)(A) The department may establish and operate regional  
27 community punishment facilities, provided funds therefor have been authorized  
28 and appropriated by the General Assembly;

29 (B)(i) The department shall not establish, own, or lease  
30 any land, building, or facility for location of a regional community  
31 punishment facility if the land, building, or facility is located within one  
32 thousand (1,000) feet of a public or private schoolhouse or a child care  
33 facility.

34 (ii) If, on the effective date of this subdivision  
35 (b)(4)(B), the department is leasing any land, building, or facility used for  
36 a regional community punishment facility that is within one thousand (1,000)



1 feet of a schoolhouse or a child care facility, the department shall not  
 2 renew the lease for the location, and any lease payments due two (2) or more  
 3 years after the effective date of this subdivision (b)(4)(B) shall not be  
 4 paid.

5 (iii) If the department owns any land, building, or  
 6 facility used for a regional community punishment facility that is within one  
 7 thousand (1,000) feet of a schoolhouse or a child care facility, the  
 8 department shall dispose of the property not later than five (5) years after  
 9 the effective date of this subdivision (b)(4)(B);

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 11 SECTION 2. Arkansas Code § 12-27-125(b)(14), concerning the functions  
 12 and powers of the Department of Community Correction, is amended to read as  
 13 follows:

14 (14)(A) The department shall establish minimum standards for  
 15 case loads, programs, facilities, and equipment and other aspects of the  
 16 operation of community punishment programs and facilities necessary for the  
 17 provision of adequate and effective supervision and service;

18 (B)(i) The department shall not establish, own, or lease  
 19 any land, building, or facility for the location or operation of a community  
 20 correction program, facility, or probation office if the land, building, or  
 21 facility is located within one thousand (1,000) feet of a public or private  
 22 schoolhouse or a child care facility.

23 (ii) If, on the effective date of this subdivision  
 24 (b)(14)(B), the department is leasing any land, building, or facility used  
 25 for the location or operation of a community correction program, facility, or  
 26 probation office that is located within one thousand (1,000) feet of a  
 27 schoolhouse or a child care facility, the department shall not renew the  
 28 lease for the location, and any lease payments due two (2) or more years  
 29 after the effective date of this subdivision (b)(14)(B) shall not be paid.

30 (iii) If the department owns any land, building, or  
 31 facility used for the location or operation of a community correction  
 32 program, facility, or probation office that is located within one thousand  
 33 (1,000) feet of a schoolhouse or a child care facility, the department shall  
 34 dispose of the property not later than five (5) years after the effective  
 35 date of this subdivision (b)(14)(B);

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