

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
4

As Engrossed: H4/10/03

A Bill

HOUSE BILL 1648

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 *DISCLOSE*
12 THE LOCATION OF COMMUNITY CORRECTION FACILITIES
13 AND PROBATION OFFICES NEAR ANY SCHOOLHOUSES OR
14 DAY CARE FACILITIES; AND FOR OTHER PURPOSES.

Subtitle

16 TO *DISCLOSE* THE LOCATION OF FACILITIES
17 AND PROBATION OFFICES OWNED AND LEASED
18 BY THE DEPARTMENT OF COMMUNITY
19 CORRECTION.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code § 12-27-125(b)(4), concerning the functions
26 and powers of the Department of Community Correction, is amended to read as
27 follows:

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

31 (B) The department shall not establish, own, or lease any
32 land, building, or facility for location of a regional community punishment
33 facility if the land, building, or facility is located within one thousand
34 (1,000') feet of a public or private schoolhouse or a child care facility
35 until:

36 (i) A public hearing is conducted by the department



1 in the community of the proposed location of the regional community
2 punishment facility at least thirty (30) days in advance of the purchase or
3 lease; and.

4 (ii) Residents within one thousand feet (1,000') of
5 the proposed location of a regional community punishment facility are
6 notified by mail.

7 (C)(i) Notice of the hearing shall be made by mail to each
8 of the residents within one thousand feet (1,000') of the proposed location
9 of a regional community punishment facility.

10 (ii) The notification requirement shall not apply to
11 already existing facilities at already existing locations.

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

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

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

25 (i) A public hearing is conducted by the department
26 in the community of the proposed location or operation of a community
27 correction program, facility, or probation office at least thirty (30) days
28 in advance of the purchase or lease; and

29 (ii) Residents within one thousand feet (1,000') of
30 the proposed location or operation of a community correction program,
31 facility, or probation office are notified by mail.

32 (C)(i) Notice of the hearing shall be made by mail to each
33 of the residents within one thousand feet (1,000') of the proposed location
34 or operation of a community correction program, facility, or probation
35 office.

36 (ii) The notification requirement shall not apply to

1 already existing facilities at already existing locations.

2 /s/ Judy

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