1 State of Arkansas

2 84th General Assembly

A Bill

3 Regular Session, 2003   SENATE BILL 828

4

5 By: Senator Critcher

6

7

8   **For An Act To Be Entitled**

9   AN ACT CONCERNING MERITORIOUS GOOD TIME FOR

10   PAROLEES; AND FOR OTHER PURPOSES.

11

12   **Subtitle**

13   AN ACT CONCERNING MERITORIOUS GOOD TIME

14   FOR PAROLEES.

15

16

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

18

19   SECTION 1. Arkansas Code § 12-29-201 is amended to read as follows:

20   12-29-201. Meritorious good time.

21   (a) An inmate may be entitled to "meritorious good time" reducing his

22 transfer eligibility date up to thirty (30) days for each month incarcerated

23 after imposition of sentence in one (1) of the units, facilities, and centers

24 maintained by the Department of Correction or the Department of Community

25 Punishment.

26   (b) An inmate transferred or paroled to the supervision of the

27 Department of Community Punishment, under § 16-93-206, may receive

28 meritorious good time reducing his or her time of transfer or parole

29 supervision up to thirty (30) days for each month he or she is under the

30 supervision of the Department of Community Punishment.

31   (b)(c) Meritorious good time shall be allocated under rules and

32 regulations promulgated by the Board of Correction and Community Punishment

33 and administered by the respective department staff subject to the provisions

34 of this subchapter for good discipline, behavior, work practices, job

35 responsibilities, and involvement in rehabilitative activities while in the

36 custody or under the supervision of the Department of Correction or the

1   Department of Community Punishment.

2   (e)(d) Meritorious good time will not be applied to reduce the length

3   of a sentence.

4   (d)(e)(1) Meritorious good time shall apply to an inmate's transfer

5   eligibility date from the Department of Correction or a community punishment

6   facility.

7   (2) Meritorious good time shall under no circumstances reduce an

8   inmate's time served in prison by more than one-half (1/2) of the percentage

9   required by law for transfer eligibility.

10   (3) Meritorious good time shall under no circumstances reduce an

11 inmate's confinement in a community punishment facility by more than one-half

12 (1/2).

13   (e)(f)(1) The Department of Correction or the Department of Community

14 Punishment shall determine a date at which the inmate who has acquired the

15 maximum amount of meritorious good time necessary is to be administratively

16 transferred to a less restrictive placement or supervision level within the

17 Department of Community Punishment.

18   (2) Such date will be determined in accordance with the policies

19 developed by the Arkansas Sentencing Commission within the parameters allowed

20 by law.

21   (f)(g)(1) Inmates under sentence of death or life imprisonment without

22 parole shall not be eligible for meritorious good time under this subchapter,

23 but may be pardoned or have their sentences commuted by the Governor, as

24 provided by law.

25   (2) Inmates sentenced to life imprisonment shall not receive

26 meritorious good time calculated on their sentences unless the sentence is

27 commuted to a term of years by executive clemency.

28   (3) Upon commutation, the inmate shall be eligible to receive

29 meritorious good time at the rate established by this subchapter.

30

31   SECTION 2.   EMERGENCY CLAUSE. It is found and determined by the

32 General Assembly of the State of Arkansas that there is serious overcrowding

33 in the Department of Correction facilities and that such overcrowding is

34 likely to worsen unless appropriate action is taken immediately; that this

35 act is immediately necessary because it is designed to allow a procedure for

36 helping to alleviate this problem. Therefore, an emergency is declared to

1   exist and this act being necessary for the preservation of the public peace,

2   health, and safety shall become effective on July 1, 2003.

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

                    03062003PBB1600.ONE237