

1 State of Arkansas  
2 88th General Assembly  
3 Fiscal Session, 2012

SCR 2

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5 By: Senators J. Dismang, E. Williams

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7 **SENATE CONCURRENT RESOLUTION**

8 TO AUTHORIZE THE INTRODUCTION OF A NONAPPROPRIATION  
9 BILL TO AMEND PAROLE ELIGIBILITY FOR PERSONS  
10 CONVICTED OF A FELONY SEX OFFENSE; AND FOR OTHER  
11 PURPOSES.

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14 **Subtitle**

15 TO AUTHORIZE THE INTRODUCTION OF A  
16 NONAPPROPRIATION BILL TO AMEND PAROLE  
17 ELIGIBILITY FOR PERSONS CONVICTED OF A  
18 FELONY SEX OFFENSE.

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21 BE IT RESOLVED BY THE SENATE OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY OF THE  
22 STATE OF ARKANSAS, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

23  
24 That Senator Dismang is authorized to introduce a bill that, as introduced,  
25 will read substantially as follows:

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27 "For An Act To Be Entitled  
28 AN ACT TO AMEND PAROLE ELIGIBILITY FOR PERSONS CONVICTED OF A FELONY SEX  
29 OFFENSE; AND FOR OTHER PURPOSES.

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31 Subtitle  
32 TO AMEND PAROLE ELIGIBILITY FOR PERSONS CONVICTED OF A FELONY SEX OFFENSE.

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

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36 SECTION 1. Arkansas Code § 16-93-615(b)(1), regarding an inmate who is



1 subject to discretionary transfer to the Department of Community Correction  
 2 by the Parole Board after having served one-third (1/3) or one-half (½) of  
 3 his or her sentence, is amended to read as follows:

4 (b)(1) An inmate under sentence for one (1) of the following felonies  
 5 shall be eligible for discretionary transfer to the Department of Community  
 6 Correction by the Parole Board after having served one-third (1/3) or one-  
 7 half (½) of his or her sentence, with credit for meritorious good time,  
 8 depending on the seriousness determination made by the Arkansas Sentencing  
 9 Commission, or one-half (½) of the time to which his or her sentence is  
 10 commuted by executive clemency, with credit for meritorious good time:

11 (A) Any homicide, §§ 5-10-101 – 5-10-105, unless the  
 12 offense is listed under § 16-93-612(e)(1);

13 (B) ~~Sexual assault in the first degree, § 5-14-124~~ Any  
 14 offense for which the inmate is required upon release to register as a sex  
 15 offender under the Sex Offender Registration Act of 1997, § 12-12-901 et  
 16 seq., unless the offense is listed under § 16-93-612(e)(1);

17 ~~(C) Sexual assault in the second degree, § 5-14-125;~~

18 ~~(D)~~(C) Battery in the first degree, § 5-13-201;

19 ~~(E)~~(D) Domestic battering in the first degree, § 5-26-303;

20 or

21 ~~(F)~~(E) The following Class Y felonies:

22 (i) Kidnapping, § 5-11-102, unless the offense is  
 23 listed under § 16-93-612(e)(1);

24 ~~(ii) Rape, § 5-14-103, unless the offense is listed~~  
 25 ~~under § 16-93-612(e)(1);~~

26 ~~(iii)~~(ii) Aggravated robbery, § 5-12-103, unless the  
 27 offense is listed under § 16-93-612(e)(1); or

28 ~~(iv)~~(iii) Causing a catastrophe, § 5-38-202(a),  
 29 unless the offense is listed under § 16-93-612(e)(1);

30 ~~(G)~~(F) Engaging in a continuing criminal enterprise, § 5-  
 31 64-405; or

32 ~~(H)~~(G) Simultaneous possession of drugs and firearms, § 5-  
 33 74-106."

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