

1 State of Arkansas As Engrossed: H1/29/19 S2/14/19

2 92nd General Assembly

# A Bill

3 Regular Session, 2019

HOUSE BILL 1233

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5 By: Representative Petty

6 By: Senator J. Cooper

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## For An Act To Be Entitled

9 AN ACT CONCERNING AT WHAT POINT A PROBATIONER'S  
10 PROBATION BEGINS AND AT WHAT POINT IN THE SENTENCING  
11 PROCESS THE SUPERVISION OF A PROBATIONER BY THE  
12 DEPARTMENT OF COMMUNITY CORRECTION BEGINS; AND FOR  
13 OTHER PURPOSES.

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## Subtitle

17 CONCERNING AT WHAT POINT A PROBATIONER'S  
18 PROBATION BEGINS AND AT WHAT POINT IN THE  
19 SENTENCING PROCESS THE SUPERVISION OF A  
20 PROBATIONER BY THE DEPARTMENT OF  
21 COMMUNITY CORRECTION BEGINS.

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

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26 SECTION 1. Arkansas Code § 5-4-307 is amended to read as follows:

27 5-4-307. Time period – Calculation.

28 (a) Except as provided in subsection (c) of this section, a period of  
29 suspension or probation commences to run ~~on the day it is imposed~~ when the  
30 circuit court pronounces the probationer's sentence in the courtroom or upon  
31 the entry of a sentencing order, whichever occurs first.

32 (b)(1) Whether ~~imposed~~ pronounced or entered at the same or a  
33 different time, multiple periods of suspension or probation run concurrently.

34 (2) The period of a suspension or probation also runs  
35 concurrently with any federal or state term of imprisonment or parole to  
36 which a defendant is or becomes subject to during the period of the



1 suspension or probation.

2 (c) If a court sentences a defendant to a term of imprisonment and  
3 suspends imposition of sentence as to an additional term of imprisonment, the  
4 period of the suspension commences to run on the day the defendant is  
5 lawfully set at liberty from the imprisonment.

6  
7 SECTION 2. Arkansas Code § 16-93-306(a), concerning the supervision of  
8 a probationer by the Department of Community Correction, is amended to add a  
9 new subdivision to read as follows:

10 (3) The Department of Community Correction shall assume  
11 supervisory responsibilities over a probationer when the circuit court  
12 pronounces the probationer's sentence in the courtroom or upon the entry of a  
13 sentencing order, whichever occurs first.

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15 /s/Petty

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18 **APPROVED: 2/28/19**

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