

INTERIM STUDY PROPOSAL 2019-056

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019

A Bill

SENATE BILL 608

4 By: Senators Irvin, G. Leding

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7 Filed with: Senate Committee on Judiciary
8 pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

9 AN ACT TO AMEND THE FAIR SENTENCING FOR MINORS ACT OF
10 2017; AND FOR OTHER PURPOSES.
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Subtitle

13 TO AMEND THE FAIR SENTENCING FOR MINORS
14 ACT OF 2017.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. DO NOT CODIFY. Legislative intent.

22 (a) In recognizing the fact that minors are different from adults,
23 more amenable to positive change and rehabilitation, and less culpable than
24 adults who commit the same crimes, the General Assembly passed the Fair
25 Sentencing of Minors Act of 2017 eliminating life without parole and other
26 extreme sentences for minors convicted of serious crimes.

27 (b) It is the intent of the General Assembly to clarify the purpose of
28 the Fair Sentencing of Minors Act of 2017 and ensure that minors previously
29 convicted of nonhomicide crimes also receive retroactive parole-eligibility
30 after serving no more than twenty (20) years of incarceration.
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32 SECTION 2. Arkansas Code § 16-93-621(a)(1), concerning the sentencing
33 of a minor for an offense committed before he or she was eighteen (18) years
34 of age and in which the death of another person did not occur, is amended to
35 read as follows:

1 (a)(1) A minor who was convicted and sentenced to the Department of
2 Correction for an offense committed before he or she was eighteen (18) years
3 of age and in which the death of another person did not occur, and that was
4 committed before, on, or after the effective date of this act, is eligible
5 for release on parole no later than after twenty (20) years of incarceration,
6 including any applicable sentencing enhancements, and including an instance
7 in which multiple sentences are to be served consecutively or concurrently,
8 unless by law the minor is eligible for earlier parole eligibility.

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10 SECTION 3. DO NOT CODIFY. Retroactivity.
11 This act shall be applied retroactively to all persons currently
12 serving a period of incarceration in the Department of Correction for an
13 offense that was committed before the person was eighteen (18) years of age,
14 regardless of the original sentences that were imposed.

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17 Referred requested by the Arkansas Senate

18 Prepared by: BPG/VJF

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