

"AN ACT TO AMEND SECTION ACT 230 OF 1983, AS AMENDED [ARK. STATS. 43-2835 ET SEQ.]; AND FOR OTHER PURPOSES."

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

SECTION 1. Section 1 of Act 230 of 1983, as amended, the same being Arkansas Statute 43-2835, is hereby amended to read as follows:

"Section 1. Any inmate of the Arkansas Department of Correction who is serving under a commitment to the Department for the commission of a nonviolent offense and who has no previous convictions for other than nonviolent offenses and who is not otherwise eligible for parole, may have his or her application considered by the State Board of Pardons and Paroles for release on parole to participate in a work program as provided for in this Act, if:

(a) the applicant has been reviewed and approved by the unit warden under the Department of Correction guidelines prior to making such application; and

(b) the family of the applicant or some other suitable person or entity agrees to sponsor the applicant with shelter, food and clothing; and

(c) the applicant has assurance of gainful employment upon release, satisfactory to the Board of Pardons and Paroles; and

(d) the parole officer for the region in which the applicant will reside agrees to supervise the applicant in accordance with the rules and guidelines prescribed by the Board of Pardons and Paroles; and

(e) the prosecuting attorney of the county wherein the crime was committed approves such release in writing, if the applicant is serving a second or subsequent confinement in the Department."

SECTION 2. Section 4 of Act 230 of 1983, the same being Arkansas Statute 43-2838, is hereby amended to read as follows:

"Section 4. (a) The parole officer of the region in which any inmate is paroled to work as authorized herein, shall make monthly reports to the State Board of Pardons and Paroles concerning the applicant and his or her work program and in each such report shall certify the number of days the inmate has worked for compensation during the preceding month.

(b) In making a final decision under this Act, the Parole Board shall seek the advice of the sheriff and the prosecuting attorney of the county wherein the applicant will reside and the sheriff and the prosecuting attorney of the county wherein the crime was committed. These officials may also seek the advice and recommendations of any law enforcement officials and such other persons deemed necessary or appropriate to determine the attitude of the community regarding the parole of the applicant under the provisions of this Act."

SECTION 3. Section 7 of Act 230 of 1983, the same being Arkansas Statute 43-2841, is hereby amended to read as follows:

"Section 7. For the purposes of this Act, 'nonviolent offense' shall mean and include any criminal offense which does not involve personal harm or the threat of personal harm to another, does not involve a conviction for violation of the Controlled Substances Act which constituted a Class 'A', a Class 'B', or a Class 'Y' felony, and does not involve the use of a firearm or other deadly weapon."

SECTION 4. All laws and parts of laws in conflict with this Act are hereby repealed.

APPROVED: April 13, 1987

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