

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**

A BILL ACT 263 OF 1991
SENATE BILL 292

4 **By: Senators Bookout, Luelf and Canada**

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For An Act To Be Entitled

8 "AN ACT TO AUTHORIZE THE ARKANSAS DEPARTMENT OF
9 CORRECTION, AS CONDITION OF PAROLE OR OTHER COMMUNITY
10 SUPERVISION, TO REQUIRE PAROLEES OR OTHER INMATES UNDER
11 COMMUNITY SUPERVISION TO PARTICIPATE IN A HOME DETENTION
12 PROGRAM TO BE SUPERVISED ELECTRONICALLY; AND FOR OTHER
13 PURPOSES."

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

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17 SECTION 1. "Approved electronic monitoring or supervising device" means
18 any electronic device approved by the Board of Correction which meets the
19 minimum Federal Communications Commission regulations and requirements, and
20 which is limited in capability to recording or transmitting information as to
21 the criminal defendant's presence in the home.

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23 SECTION 2. In all instances where the Department may release any inmate
24 to community supervision, in addition to all other conditions which may be
25 imposed by the Department, the Department may require the criminal defendant
26 to participate in a home detention program. The term of the home detention
27 shall not exceed the maximum number of years of imprisonment or supervision to
28 which the inmate could be sentenced, and the length of time the defendant
29 participates in a home detention program and any good time credit awarded
30 shall be credited against the defendant's sentence.

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32 SECTION 3. The Board of Correction shall establish policy and
33 procedures for participation in a home detention program, including but not
34 limited to program criteria, terms and conditions of release.

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36 SECTION 4. All provisions of this act of a general and permanent nature

1 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
2 Revision Commission shall incorporate the same in the Code.

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4 SECTION 5. If any provision of this act or the application thereof to
5 any person or circumstance is held invalid, such invalidity shall not affect
6 other provisions or applications of the act which can be given effect without
7 the invalid provision or application, and to this end the provisions of this
8 act are declared to be severable.

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10 SECTION 6. All laws and parts of laws in conflict with this act are
11 hereby repealed.

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APPROVED: 2-27-91

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