

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Senator Harriman**

# A Bill ACT 586 OF 1991

SENATE BILL 386

## For An Act To Be Entitled

8 "AN ACT TO REPEAL ARKANSAS CODE ANNOTATED §16-93-401 IN  
9 ORDER TO CLARIFY PROCEDURES FOR PROBATION AND SUSPENDED  
10 SENTENCES; AND FOR OTHER PURPOSES."

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

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14 SECTION 1. Arkansas Code Annotated §16-93-401 is repealed.

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16 SECTION 2. All provisions of this act of a general and permanent nature  
17 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
18 Revision Commission shall incorporate the same in the Code.

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20 SECTION 3. If any provision of this act or the application thereof to  
21 any person or circumstance is held invalid, such invalidity shall not affect  
22 other provisions or applications of the act which can be given effect without  
23 the invalid provision or application, and to this end the provisions of this  
24 act are declared to be severable.

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26 SECTION 4. All laws and parts of laws in conflict with this act are  
27 hereby repealed.

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29 SECTION 5. It is hereby found and determined by the General Assembly  
30 that Arkansas Code Annotated §16-93-401 is in conflict with statutes contained  
31 in the Arkansas Criminal Code and is also unnecessarily duplicative of such  
32 statutes; that as a result of Arkansas Code Annotated §16-93-401 being in  
33 effect great confusion exists as to the applicability of provisions governing  
34 the disposition of offenders; that such confusion has hampered courts in  
35 providing for the effective and proper disposition of offenders; that Arkansas  
36 Code Annotated §16-93-401 must be repealed in its entirety to eliminate such

1 confusion; that unless this act is given immediate effect the criminal justice  
2 system will not be able to function effectively regarding the disposition of  
3 offenders. Therefore, an emergency is hereby declared to exist and this act  
4 being immediately necessary for the preservation of public peace, health and  
5 safety shall be in full force and effect from and after its passage and  
6 approval.

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APPROVED: 3-18-91