

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**

# **A Bill**

**ACT 558 OF 1993**  
**SENATE BILL 476**

4 **By: Senators Lewellen, Bookout, Fitch, Everett, and Keet**

5

6

7

## **For An Act To Be Entitled**

8 "AN ACT TO REVISE GOOD TIME LAWS; AND FOR OTHER PURPOSES."

9

10

### **Subtitle**

11 "TO REVISE GOOD TIME LAWS.

12

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

14

15 SECTION 1. Meritorious Allowance.

16 (a) An inmate may be entitled to "Meritorious good time" reducing his  
17 transfer eligibility date up to thirty (30) days for each month incarcerated  
18 after imposition of sentence in one (1) of the units *facilities* and centers  
19 maintained by the Department of Correction or *the Department of Community*  
20 *Punishment*.

21 (b) Meritorious good time shall be allocated under rules and regulations  
22 promulgated by the Board of Correction and Community Punishment and  
23 administered by the *respective* department staff subject to the provisions of  
24 this act for good discipline, behavior, work practices, job responsibilities,  
25 and involvement in rehabilitative activities while in the custody of the  
26 Department of Correction or *the Department of Community Punishment*.

27

28 SECTION 2. Application of *meritorious* Good Time.

29 (a) Meritorious good time will not be applied to reduce the length of a  
30 sentence.

31 (b) Meritorious good time shall apply to an inmate's transfer  
32 eligibility date *from the Department of Correction or a community punishment*  
33 *facility*. Meritorious good time shall under no circumstances reduce an  
34 inmate's time served in prison by more than one-half (1/2) of the percentage  
35 required by law for transfer eligibility. *Meritorious good time shall under*  
36 *no circumstances reduce an inmate's confinement in a community punishment*

1 *facility by more than one-half (1/2).*

2 (c) The Department of Correction or the Department of Community  
3 Punishment shall determine a date at which the inmate who has acquired the  
4 maximum amount of meritorious good time necessary is to be administratively  
5 transferred to a less restrictive placement or supervision level within the  
6 Department of Community Punishment. Such date will be determined in  
7 accordance with the policies developed by the Arkansas Sentencing Commission  
8 within the parameters allowed by law.

9 (d) Inmates under sentence of death or life imprisonment without parole  
10 shall not be eligible for *meritorious* good time under this act, but may be  
11 pardoned or have their sentence commuted by the Governor, as provided by law.  
12 Inmates sentenced to life imprisonment shall not receive *meritorious* good  
13 time calculated on their sentence, unless the sentence is commuted to a term  
14 of years by executive clemency. Upon commutation, the inmate shall be  
15 eligible to receive *meritorious* good time at the rate established by this act.

16

17 SECTION 3. Classification Committee - Classifications -

18 (a) There is established a classification committee to be defined by  
19 administrative regulations approved by the Board of Correction and Community  
20 Punishment.

21 (b) Members of the committee will be selected by wardens or supervisors  
22 of the various units, *facilities* or centers of the *departments* per Board  
23 regulation governing their selection.

24 (c) This committee shall meet as often as necessary to classify the  
25 inmates into sufficient classes according to good behavior, *good* discipline,  
26 *medical condition*, job responsibilities, and involvement in rehabilitative  
27 activities.

28 (d) (1) Inmates who maintain class through good behavior, *good*  
29 discipline, work practices, job responsibilities and involvement in  
30 rehabilitative activities, may earn thirty (30) days reduction toward their  
31 transfer eligibility date for each month incarcerated after the imposition of  
32 sentence.

33 (2) Inmates who are reduced to the lowest class, established  
34 through Board policy, as a result of disciplinary action shall not be entitled  
35 to earn meritorious good time.

1           (3) Inmates serving a punitive disciplinary sentence in punitive  
2 segregation shall not be entitled to earn meritorious good time.

3           (e) *Meritorious* good time will be allotted to each inmate on a monthly  
4 basis such that the inmate receives one (1) day for every day served, not to  
5 exceed thirty (30) days per month.

6           (f) Inmates may be reclassified as often as the committee deems  
7 necessary and/or in accordance with current Board regulations to carry out the  
8 purpose of this act and to maintain good discipline, order, and efficiency at  
9 the units, *facilities* or centers.

10

11           SECTION 4. Forfeiture - Restoration.

12           The Director of *either the Department of Correction or the Department of*  
13 *Community Punishment, respectively* may restore lost good time according to  
14 rules promulgated by the Board.

15

16           SECTION 5. Good Time Earned Pending Transfer to Department of  
17 Correction.

18           (a) Any person who is sentenced by a circuit court to the Department of  
19 Correction or *the Department of Community Punishment* and is awaiting transfer  
20 to the Department may earn meritorious good time in accordance with law and  
21 regulations as adopted by the Board of Correction and Community Punishment.  
22 Meritorious good time will only be given for being housed in a jail or similar  
23 secure facility while awaiting transfer on the conviction resulting in  
24 sentence from that county. Meritorious good time will be calculated upon  
25 reception within the *respective department*.

26           (b) *Meritorious good time will be awarded unless the Sheriff of Record*  
27 *submits written objections to such award based on the prisoner's behavior,*  
28 *discipline, and conduct or performance of such duties and responsibilities as*  
29 *assigned by such sheriff or his designated representatives.*

30           (c) *This meritorious good time award is subject to all rules and*  
31 *regulations regarding meritorious good time including, but not limited to,*  
32 *those regulations for forfeiture of meritorious good time as adopted by the*  
33 *Board of Correction and Community Punishment.*

34

35           SECTION 6. Arkansas Code Annotated §§ 12-29-201, 12-29-202, and



1

2