

As Engrossed: 1/30/95 2/9/95 3/9/95 3/13/95 4/6/95

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Representative Ray**

A Bill

ACT 1188 OF 1995
HOUSE BILL 1357

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 12-30-407 TO
9 SET MINIMUM TIME ELIGIBILITY STANDARDS FOR INMATES TO BE
10 RELEASED TO APPROVED FACILITIES OUTSIDE THE DEPARTMENT OF
11 CORRECTION; AND FOR OTHER PURPOSES."

Subtitle

14 "TO SET MINIMUM TIME ELIGIBILITY
15 STANDARDS FOR INMATES TO BE RELEASED TO
16 APPROVED FACILITIES OUTSIDE THE
17 DEPARTMENT OF CORRECTION"

18
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. Arkansas Code Annotated 12-30-407 is amended to read as
22 follows:

23 "12-30-407. Housing of participants. [Effective January 1, 1994.]

24 (a) (1) The Board of Correction and Community Punishment may promulgate
25 rules and regulations to allow the proper classification of inmates to be
26 released to the sheriff of approved jail facilities or community punishment
27 centers outside the Department of Correction. Such inmates are to work at
28 jobs that directly benefit those facilities and are to be under supervision at
29 all times.

30 (2) Inmates so released shall be entitled to credit on their
31 sentences under the meritorious classification system of the Department of
32 Correction; however, no inmate shall be eligible to be released to the sheriff
33 of an approved jail facility unless the inmate is within *thirty (30)* months of
34 his first parole eligibility date or his first post-prison transfer
35 eligibility date, *unless the inmate is returning to the county from which he*
36 *was tried and convicted or if the inmate is released to a county other than a*

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1 county from which he was tried and convicted, the sheriff of the county from
2 which he was tried and convicted shall be notified. Unless the sheriff
3 responds within fifteen (15) days of notification that he disapproves of the
4 transfer the inmate may be transferred as provided in this section.

5 (b) The number of persons on prerelease and work-release programs of
6 the Department of Correction that may be housed at the Benton Services Center
7 shall not exceed two hundred twenty-five (225). Provided, with the approval
8 of the State Hospital Board and the Administrator of the Benton Services
9 Center, a maximum of three hundred twenty-five (325) persons on prerelease and
10 work-release programs may be housed at the center."

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12 SECTION 2. Inmates released to the sheriff of approved jail facilities
13 or community punishment centers pursuant to § 12-30-407 prior to the effective
14 date of this act shall remain eligible for release, notwithstanding the
15 provisions of this act.

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17 SECTION 3. All provisions of this act of a general and permanent nature
18 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
19 Revision Commission shall incorporate the same in the Code.

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

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27 SECTION 5. All laws and parts of laws in conflict with this act are
28 hereby repealed.

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/s/Donald Ray

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APPROVED: 4-11-95

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