

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

As Engrossed: S4/2/97

A Bill

ACT 1271 OF 1997
HOUSE BILL 2222

4
5 By: Representative Roberts
6
7

For An Act To Be Entitled

8
9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 12-30-407 TO
10 PROVIDE FOR THE NOTIFICATION OF THE VICTIM OR THE VICTIM'S
11 IMMEDIATE FAMILY WHEN AN INMATE OF THE DEPARTMENT OF
12 CORRECTION IS RELEASED ON WORK-STUDY AND IS RETURNING TO
13 THE COUNTY FROM WHICH HE WAS TRIED AND CONVICTED; AND FOR
14 OTHER PURPOSES."

Subtitle

15
16
17 "TO PROVIDE FOR THE NOTIFICATION OF THE
18 VICTIM OR THE VICTIM'S IMMEDIATE FAMILY
19 WHEN AN INMATE OF THE DEPARTMENT OF
20 CORRECTION IS RELEASED ON WORK-STUDY AND
21 IS RETURNING TO THE COUNTY FROM WHICH HE
22 WAS TRIED AND CONVICTED"

23
24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
25

26 SECTION 1. Arkansas Code Annotated § 12-30-407 is amended to read as
27 follows:

28 "12-30-407. Housing of participants.

29 (a)(1) The Board of Correction and Community Punishment may promulgate
30 rules and regulations to allow the proper classification of inmates to be
31 released to the sheriffs of approved jail facilities or community punishment
32 centers outside the Department of Correction. Such inmates are to work at jobs
33 that directly benefit those facilities and are to be under supervision at all
34 times.

35 (2)(A) Inmates so released shall be entitled to credit on their
36 sentences under the meritorious classification system of the Department of

1 Correction.

2 (B) However, no inmate shall be eligible to be released to
3 the sheriff of an approved jail facility unless the inmate is within thirty
4 (30) months of his first parole eligibility date or his first post-prison
5 transfer eligibility date, unless:

6 (i) The inmate is returning to the county from which
7 he was tried and convicted and the victim or victim's immediate family, if
8 residing in the county from which the inmate was tried and convicted, have
9 been notified of the inmate's return; or

10 (ii)(a) If the inmate is released to a county other
11 than a county from which he was tried and convicted, the sheriff of the county
12 from which he was tried and convicted shall be notified.

13 (b) Unless the sheriff responds within fifteen
14 (15) days of notification that he disapproves of the transfer, the inmate may
15 be transferred as provided in this section.

16 (b) The number of persons on prerelease and work-release programs of
17 the Department of Correction that may be housed at the Benton Services Center
18 shall not exceed two hundred twenty-five (225). Provided, with the approval of
19 the State Hospital Board and the Administrator of the Benton Services Center,
20 a maximum of three hundred twenty-five (325) persons on prerelease and
21 work-release programs may be housed at the center.

22 (c) Inmates released to the sheriff of approved jail facilities or
23 community punishment centers pursuant to § 12-30-407 prior to July 28, 1995
24 shall remain eligible for release, notwithstanding the provisions of this
25 section."

26

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

30

31 SECTION 3. If any provision of this act or the application thereof to
32 any person or circumstance is held invalid, such invalidity shall not affect
33 other provisions or applications of the act which can be given effect without
34 the invalid provision or application, and to this end the provisions of this
35 act are declared to be severable.

36

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

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

/s/Roberts

APPROVED: 4-09-97