

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

# A Bill

ACT 943 OF 1997  
HOUSE BILL 1377

4  
5 By: Representatives Young, Kidd, Luker, McJunkin, McKissack, Miller, Willems, Bush, DeLay, Joe Hudson, and Mullenix  
6 By: Senators Bradford, Canada, and Scott

## For An Act To Be Entitled

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8  
9 "AN ACT TO AMEND ARKANSAS CODE 12-27-107 DESCRIBING THE  
10 DUTIES OF THE DIRECTOR OF DEPARTMENT OF CORRECTION; AND  
11 FOR OTHER PURPOSES."

## Subtitle

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13  
14 "AN ACT TO AMEND ARKANSAS CODE 12-27-107  
15 DESCRIBING THE DUTIES OF THE DIRECTOR OF  
16 DEPARTMENT OF CORRECTION."

17  
18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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20 SECTION 1. Arkansas Code 12-27-107(d) is amended to read as follows:

21 "(d) Subject to the rules, regulations, policies, and procedures  
22 prescribed by the Board of Correction and Community Punishment, the director  
23 shall:

24 (1) Administer the department and supervise the administration of  
25 all institutions, facilities, and services under the department's  
26 jurisdiction;

27 (2) Employ such personnel as are required in the administration  
28 of the provisions of this act, provided that the employment of personnel shall  
29 be in accordance with the applicable laws and personnel regulations of the  
30 state;

31 (3) Institute programs for the training and development of  
32 personnel within the department and have authority to suspend, discharge, or  
33 otherwise discipline personnel in accordance with policies prescribed by the  
34 board;

35 (4) Make an annual report to the Board of Correction and  
36 Community Punishment, which will be forwarded to the Governor and the General

1 Assembly, on the work of the department, including statistics and other data,  
 2 income derived by the department from agriculture, livestock, and other  
 3 farming activities and from prison inmates' activities, a summary of  
 4 expenditures of the department, and progress reports regarding internal issues  
 5 such as inmate discipline, utilization of programming, facilities and bed  
 6 space utilization, upkeep issues, and construction needs; ~~and~~

7 (5) Cooperate with the Department of Community Punishment, the  
 8 Post Prison Transfer Board, the Arkansas Sentencing Commission, judicial  
 9 districts, counties, and municipalities to provide the guidance and services  
 10 required to ensure a full range of correctional options for the state as a  
 11 whole- ;and

12 (6) Designate those employees of the department who shall have  
 13 the powers of peace officers in the enforcement of criminal laws to the extent  
 14 they apply to employees, inmates and persons on Arkansas Department of  
 15 Correction property, or while participating in the search and capture of an  
 16 inmate who has escaped custody, or while assisting law enforcement officers in  
 17 the search and capture of any fugitives or escapee from another jurisdiction."

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

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

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

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APPROVED:3-31-97