

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
4

A Bill

ACT 945 OF 1997
HOUSE BILL 1468

5 By: Representative Ferrell
6
7

For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED §§ 16-93-611,
10 16-93-1202(h) AND 16-93-1301(c)(2))A)(i) TO ASSURE THAT
11 ONLY OFFENDERS CONVICTED OF TARGET OFFENSES ARE ELIGIBLE
12 FOR TRANSFER TO A COMMUNITY PUNISHMENT FACILITY; AND FOR
13 OTHER PURPOSES."

Subtitle

14
15 "TO ASSURE THAT ONLY OFFENDERS CONVICTED
16 OF TARGET OFFENSES ARE ELIGIBLE FOR
17 TRANSFER TO A COMMUNITY PUNISHMENT
18 FACILITY"
19

20
21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code Annotated § 16-93-611 is amended to read as
24 follows:

25 "16-93-611. Class Y felonies.

26 Notwithstanding any law allowing the award of meritorious good time or
27 any other law to the contrary, any person who is found guilty of or who pleads
28 guilty or nolo contendere to murder in the first degree, § 5-10-102,
29 kidnapping, § 5-11-102, aggravated robbery, § 5-12-103, rape, § 5-14-103, and
30 causing a catastrophe, § 5-38-202(a), shall not be eligible for parole or
31 transfer until the person serves seventy percent (70%) of the term of
32 imprisonment to which the person is sentenced."
33

34 SECTION 2. Arkansas Code Annotated § 16-93-1202(h) is amended to read
35 as follows:

36 "(h) Transfer means an administrative condition permitting transfer of

1 eligible offenders sentenced to traditional state correctional facilities to
2 community punishment facilities, programming, and community supervision,
3 provided that only target offenders are eligible for the facilities;"
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5 SECTION 3. Arkansas Code Annotated § 16-93-1301(c)(2)(A)(i) is amended
6 to read as follows:

7 "(2)(A)(i) Offenders convicted of a target offense under the Community
8 Punishment Act, § 16-93-1201 et seq., may be committed to the Department of
9 Correction and judicially transferred to the Department of Community
10 Punishment by specific provision in the commitment that the trial court orders
11 such a transfer. No other offenders are eligible for transfer to a Community
12 Punishment facility."
13

14 SECTION 4. All provisions of this act of a general and permanent nature
15 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
16 Revision Commission shall incorporate the same in the Code.
17

18 SECTION 5. If any provision of this act or the application thereof to
19 any person or circumstance is held invalid, such invalidity shall not affect
20 other provisions or applications of the act which can be given effect without
21 the invalid provision or application, and to this end the provisions of this
22 act are declared to be severable.
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24 SECTION 6. All laws and parts of laws in conflict with this act are
25 hereby repealed.
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28 APPROVED:3-31-97
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