

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 1446 of the Regular Session

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: H3/18/05

A Bill

HOUSE BILL 2672

5 By: Representative Ledbetter
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8 **For An Act To Be Entitled**

9 AN ACT CONCERNING PSYCHIATRIC REPORTS ON
10 ACQUITTED DEFENDANTS; AND FOR OTHER PURPOSES.
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12 **Subtitle**

13 AN ACT CONCERNING PSYCHIATRIC REPORTS ON
14 ACQUITTED DEFENDANTS.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 *SECTION 1. Arkansas Code § 5-2-314(d), concerning psychiatric reports*
20 *on acquitted defendants, is amended to read as follows:*

21 *(d)(1)(A) The director shall file the psychiatric or psychological*
22 *report with the probate clerk of the circuit court having venue within thirty*
23 *(30) days following ~~entry~~ receipt of an order of acquittal.*

24 *(B) If, before thirty (30) days, the director makes*
25 *application to the court for an extension of time to file the report, and the*
26 *court finds there is good cause for the delay, the court may order that*
27 *additional time be allowed for the director to file the report.*

28 *(C) A hearing shall be conducted by the court and shall*
29 *take place not later than ten (10) days following the filing of the report*
30 *with the court.*

31 *(2) If the report is not filed within thirty (30) days following*
32 *the director's receipt of an order of acquittal, or within such additional*
33 *time as authorized by the circuit court, the court may grant a petition for a*
34 *writ of habeas corpus ordering the release of the defendant under terms and*
35 *conditions which are reasonable and just for the defendant and societal*



1 concerns about the safety of persons and property of others.

2 /s/ Ledbetter

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APPROVED: 3/31/2005

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