

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999  
4

As Engrossed: S2/3/99 S3/11/99

# A Bill

Act 1035 of 1999  
SENATE BILL 306

5 By: Senator Bradford  
6 By: Representatives Glover, Vess  
7

## For An Act To Be Entitled

10 "AN ACT TO AMEND ARKANSAS CODE 16-93-206 PERTAINING TO  
11 PROCEDURE BEFORE THE POST PRISON TRANSFER BOARD; AND  
12 FOR OTHER PURPOSES."

### Subtitle

15 "AN ACT TO AMEND ARKANSAS CODE 16-93-206  
16 PERTAINING TO PROCEDURE BEFORE THE POST  
17 PRISON TRANSFER BOARD."  
18  
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code 16-93-206(c)(1) is amended to read as follows:

23 "(c)(1) Persons who commit the following ~~Class Y~~ felonies on or after  
24 January 1, 1994, shall be eligible to be considered for discretionary transfer  
25 to the Department of Community Punishment by the Post Prison Transfer Board  
26 after having served one-third (1/3) or one-half (1/2), with credit for  
27 meritorious good time, of their sentences, depending on the seriousness  
28 determination made by the Arkansas Sentencing Commission, or one-half (1/2),  
29 with credit for meritorious good time, of the time to which their sentences  
30 are commuted by executive clemency:

31 (A) ~~Murder in the first degree, § 5-10-102~~ Any homicide, §§  
32 5-10-101 through 105; or

33 (B) ~~Kidnapping, § 5-11-102~~ Sexual abuse in the first degree  
34 § 5-14-108; or

35 (C) ~~Rape, § 5-14-103~~ Battery in the first degree § 5-13-  
36 201; or

1 (D) ~~Aggravated robbery, § 5-12-103~~ Domestic battering in  
2 the first degree § 5-26-303; or

3 (E) ~~Causing a catastrophe, § 5-38-202(a); or~~ The following  
4 Class Y felonies:

5 (i) Kidnapping, § 5-11-102;

6 (ii) Rape, § 5-14-103;

7 (iii) Aggravated robbery, § 5-12-103;

8 (iv) Causing a catastrophe, § 5-38-202(a); or

9 (F) Engaging in a continuing criminal enterprise, § 5-64-  
10 414; or

11 ~~(G) Manufacture or delivery of a Schedule I or II~~  
12 ~~controlled substance which by aggregate weight including adulterants or~~  
13 ~~diluents is greater than twenty-eight (28) grams, § 5-64-401(a)(1)(i).~~  
14 Simultaneous possession of drugs and firearms, § 5-74-106."

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

19  
20 SECTION 3. If any provision of this act or the application thereof to  
21 any person or circumstance is held invalid, such invalidity shall not affect  
22 other provisions or applications of the act which can be given effect without  
23 the invalid provision or application, and to this end the provisions of this  
24 act are declared to be severable.

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

28 /s/ Bradford

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31 APPROVED: 4/1/1999  
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