

ARKANSAS SENATE
85th General Assembly - Regular Session, 2005
Amendment Form

Subtitle of Senate Bill No. 313

"AN ACT TO AMEND PROVISIONS CONCERNING CLEMENCY PROCEDURES."

Amendment No. 3 to Senate Bill No. 313.

Amend Senate Bill No. 313 as engrossed, S2/16/05 (version: 02-16-2005 08:37):

Page 1, line 5, delete "J. Bookout, Baker, Trusty" and substitute "Glover, J. Bookout, Baker, Trusty, Wilkinson"

AND

Page 4, on line 13 delete "(2)(A)" and substitute "(2)"

AND

Page 4, delete lines 16 through 20 and substitute:
"the victim or the victim's next of kin if the victim or the victim's next of kin registered for notification with the prosecuting attorney under § 16-21-106(c)."

AND

Immediately following Section 4 add the following new section:

"SECTION 5. Arkansas Code § 16-93-207(c) and (d), pertaining to executive clemency procedure, are amended to read as follows:

(c)(1) If an application for pardon, commutation of sentence, or remission of fine or forfeiture is denied in writing by the Governor, the person filing the application shall not be eligible to file a new application for pardon, commutation of sentence, or remission of fine or forfeiture related to the same offense for a period of four (4) years from the date of the denial.

(2) If an application for pardon, commutation of sentence, or remission of fine or forfeiture is deemed denied by the Governor pursuant to subsection (b) of this section, the person filing the application may immediately file a new application for pardon, commutation of sentence, or remission of fine or forfeiture related to the same offense.

(d) If an application for pardon, commutation of sentence, or remission of fine is granted, the Governor shall:

(1) Include in his or her written order the reasons for granting



the application; and

(2) File with the Senate and the House of Representatives a copy of the order that includes:

(A) The applicant's name;

(B) The offense of which the applicant was convicted;

(C) The sentence imposed upon the applicant;

(D) The date that the sentence was imposed;

(E) The effective date of the pardon, commutation of sentence, or remission of fine.

~~(d)~~(e) This section shall not apply to reprieves, and reprieves may be granted as presently provided by law."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator J. Bookout

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Secretary