

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.

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

As Engrossed: H3/19/09 H3/23/09

A Bill

HOUSE BILL 1894

5 By: Representatives Blount, Allen, T. Baker, Davis, Hoyt, Ingram, W. Lewellen, Rainey, Saunders,
6 Shelby, Word

7 By: Senators Steele, *Crumbly, Elliott, H. Wilkins*
8
9

For An Act To Be Entitled

11 AN ACT TO AUTHORIZE THE DEPARTMENT OF CORRECTION
12 TO EXPAND THE SKILLS TRAINING PROGRAM AND
13 EDUCATIONAL OPPORTUNITIES FOR INMATES IN THE
14 DEPARTMENT OF CORRECTION; AND FOR OTHER PURPOSES.

Subtitle

16 TO AUTHORIZE THE DEPARTMENT OF
17 CORRECTION TO EXPAND EDUCATIONAL
18 OPPORTUNITIES FOR INMATES QUALIFIED TO
19 ENROLL IN COLLEGE OR UNIVERSITY COURSES.
20
21
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

SECTION 1. NOT TO BE CODIFIED.

25 Whereas, Arkansas Code § 12-28-101(a)(2) authorizes the Department of
26 Correction to provide education and other rehabilitation and treatment
27 programs designed to prepare inmates committed to the department for
28 productive and law-abiding lives upon release from the Department of
29 Correction; and
30

31 Whereas, Arkansas Code § 12-29-301 establishes the Department of
32 Corrections School System to provide elementary, secondary, and vocational
33 and technical education to qualified persons incarcerated in the Department
34 of Correction and the Department of Community Correction and qualified
35 persons supervised by the Department of Community Correction; and
36



1 Whereas, Arkansas Code § 12-29-101(d)(2) provides that inmates in the
2 institutions of the Department of Correction may participate in and benefit
3 from the vocational, educational, and rehabilitation services of their
4 respective institutions solely within the rules and regulations of the
5 department as determined by the director, subject to appeal and review by the
6 Board of Corrections or a designated review board in accordance with
7 procedures that shall be established by the board; and

8
9 Whereas, the Corrections School System along with the Department of
10 Correction and the Department of Community Correction have entered into
11 agreements to provide college courses to qualified persons under
12 Administrative Regulation 500 which are taught onsite by accredited college
13 and universities.

14
15 SECTION 2. Arkansas Code § 12-28-101 is amended to read as follows:
16 12-28-101. Facilities.

17 (a)(1) The Department of Correction, with the approval of the Board of
18 Corrections, shall provide appropriate incarceration facilities for women,
19 youthful offenders, and other adult offenders committed to the department by
20 the courts of this state.

21 (2) The department shall also provide education and other
22 rehabilitation and treatment programs designed to prepare inmates committed
23 to the department for productive and law-abiding lives upon release from the
24 department.

25 (3) The department may contract with state or private entities
26 such as accredited colleges or universities to provide additional educational
27 opportunities for inmates under the direction and authority of the board and
28 the Corrections School System.

29 (b) Any facility built or occupied by the department for use as a
30 correctional facility shall be given a designated name of ~~unit~~ "unit" or
31 ~~center~~ "center" depending on its size, location, and purpose of usage.

32
33 SECTION 3. Arkansas Code § 12-28-104 is amended to read as follows:
34 12-28-104. Paroling authority.

35 (a) The ~~Post Prison Transfer Parole~~ Board shall be paroling authority
36 for the units of the Department of Correction and shall make recommendations

1 to the Governor in cases from the criminal courts that, in the board's
2 opinion, the defendant in the case should be pardoned.

3 (b) The board shall consider the work skills, education,
4 rehabilitation, and treatment programs recommended to the inmate upon intake
5 and determine whether the inmate took advantage of those opportunities while
6 incarcerated in department in making decisions regarding parole.

7
8 SECTION 4. Arkansas Code § 12-29-112 is amended to read as follows:
9 12-29-112. Discharge or release.

10 (a) Inmates released upon completion of their term or released on
11 parole shall be supplied with satisfactory clothing and a travel subsidy as
12 prescribed by the Board of Corrections.

13 (b) Upon release of any inmate from any unit or center of the
14 Department of Correction, the department shall provide transportation for the
15 inmate to the closest commercial transportation pick-up point.

16 (c) Before the release of an inmate from any unit or center of the
17 department, the department shall provide:

18 (1) Testing or screening of the inmate for human
19 immunodeficiency virus (HIV); and

20 (2) Counseling regarding treatment options if the inmate tests
21 positive for human immunodeficiency virus (HIV).

22 (d) An inmate released upon completion of his or her terms of
23 incarceration shall be provided:

24 (1) Written and certified proof that he or she completed and
25 satisfied all the terms of his or her incarceration; and

26 (2) Information on how to reinstate his or her voting rights
27 upon discharge of his or her sentence.

28
29
30
31 /s/ Blount
32
33
34
35
36