

1 State of Arkansas
2 88th General Assembly
3 Fiscal Session, 2012

HCR 1005

4
5 By: Representative Sanders

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7 **HOUSE CONCURRENT RESOLUTION**

8 TO AUTHORIZE THE INTRODUCTION OF A NONAPPROPRIATION
9 BILL TO AMEND PAROLE ELIGIBILITY FOR PERSONS
10 CONVICTED OF A FELONY SEX OFFENSE; AND FOR OTHER
11 PURPOSES.

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14 **Subtitle**

15 TO AUTHORIZE THE INTRODUCTION OF A
16 NONAPPROPRIATION BILL TO AMEND PAROLE
17 ELIGIBILITY FOR PERSONS CONVICTED OF A
18 FELONY SEX OFFENSE.

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21 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-EIGHTH GENERAL
22 ASSEMBLY OF THE STATE OF ARKANSAS, THE SENATE CONCURRING THEREIN:

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24 That Representative Sanders is authorized to introduce a bill that, as
25 introduced, will read substantially as follows:

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27 "For An Act To Be Entitled
28 AN ACT TO AMEND PAROLE ELIGIBILITY FOR PERSONS CONVICTED OF A FELONY SEX
29 OFFENSE; AND FOR OTHER PURPOSES.

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31 Subtitle
32 TO AMEND PAROLE ELIGIBILITY FOR PERSONS CONVICTED OF A FELONY SEX OFFENSE.

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34 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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36 SECTION 1. Arkansas Code § 16-93-615(b)(1), regarding an inmate who is



1 subject to discretionary transfer to the Department of Community Correction
 2 by the Parole Board after having served one-third (1/3) or one-half (½) of
 3 his or her sentence, is amended to read as follows:

4 (b)(1) An inmate under sentence for one (1) of the following felonies
 5 shall be eligible for discretionary transfer to the Department of Community
 6 Correction by the Parole Board after having served one-third (1/3) or one-
 7 half (½) of his or her sentence, with credit for meritorious good time,
 8 depending on the seriousness determination made by the Arkansas Sentencing
 9 Commission, or one-half (½) of the time to which his or her sentence is
 10 commuted by executive clemency, with credit for meritorious good time:

11 (A) Any homicide, §§ 5-10-101 – 5-10-105, unless the
 12 offense is listed under § 16-93-612(e)(1);

13 (B) ~~Sexual assault in the first degree, § 5-14-124~~ Any
 14 offense for which the inmate is required upon release to register as a sex
 15 offender under the Sex Offender Registration Act of 1997, § 12-12-901 et
 16 seq., unless the offense is listed under § 16-93-612(e)(1);

17 ~~(C) Sexual assault in the second degree, § 5-14-125;~~

18 ~~(D)~~(C) Battery in the first degree, § 5-13-201;

19 ~~(E)~~(D) Domestic battering in the first degree, § 5-26-303;

20 or

21 ~~(F)~~(E) The following Class Y felonies:

22 (i) Kidnapping, § 5-11-102, unless the offense is
 23 listed under § 16-93-612(e)(1);

24 ~~(ii) Rape, § 5-14-103, unless the offense is listed~~
 25 ~~under § 16-93-612(e)(1);~~

26 ~~(iii)~~(ii) Aggravated robbery, § 5-12-103, unless the
 27 offense is listed under § 16-93-612(e)(1); or

28 ~~(iv)~~(iii) Causing a catastrophe, § 5-38-202(a),
 29 unless the offense is listed under § 16-93-612(e)(1);

30 ~~(G)~~(F) Engaging in a continuing criminal enterprise, § 5-
 31 64-405; or

32 ~~(H)~~(G) Simultaneous possession of drugs and firearms, § 5-
 33 74-106."

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