

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

As Engrossed: S3/23/17

A Bill

SENATE BILL 563

5 By: Senator T. Garner
6

For An Act To Be Entitled

8 AN ACT CONCERNING THE FILING OF MULTIPLE FRIVOLOUS
9 LAWSUITS BY INMATES IN THE DEPARTMENT OF CORRECTION;
10 AND FOR OTHER PURPOSES.
11

Subtitle

12 CONCERNING THE FILING OF MULTIPLE
13 FRIVOLOUS LAWSUITS BY INMATES IN THE
14 DEPARTMENT OF CORRECTION.
15
16
17
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 SECTION 1. Arkansas Code § 16-68-607 is amended to read as follows:
22 16-68-607. Multiple lawsuits.

23 (a)(1) As used in this section, "civil action or proceeding" includes
24 without limitation a legal action filed in federal or state court.

25 (2) A "civil action or proceeding" does not include:

26 (a) A petition for writ of habeas corpus;

27 (b) A petition for writ of error coram nobis; or

28 (c) A petition for relief under Rule 37 of the Arkansas
29 Rules of Criminal Procedure.

30 ~~In no event shall an incarcerated person bring a civil action or appeal~~
31 ~~a judgment in a civil action or proceeding under the Arkansas indigency~~
32 ~~statutes if the incarcerated person has on three (3) or more prior occasions,~~
33 ~~while incarcerated or detained in any facility, brought an action that is~~
34 ~~frivolous, malicious, or fails to state a claim upon which relief may be~~
35 ~~granted, unless the incarcerated person is under imminent danger of serious~~
36 ~~physical injury.~~



