

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

SENATE BILL 608

5 By: Senators Irvin, G. Leding
6

For An Act To Be Entitled

8 AN ACT TO AMEND THE FAIR SENTENCING FOR MINORS ACT OF
9 2017; AND FOR OTHER PURPOSES.
10

Subtitle

11 TO AMEND THE FAIR SENTENCING FOR MINORS
12 ACT OF 2017.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. DO NOT CODIFY. Legislative intent.

20 (a) In recognizing the fact that minors are different from adults,
21 more amenable to positive change and rehabilitation, and less culpable than
22 adults who commit the same crimes, the General Assembly passed the Fair
23 Sentencing of Minors Act of 2017 eliminating life without parole and other
24 extreme sentences for minors convicted of serious crimes.

25 (b) It is the intent of the General Assembly to clarify the purpose of
26 the Fair Sentencing of Minors Act of 2017 and ensure that minors previously
27 convicted of nonhomicide crimes also receive retroactive parole-eligibility
28 after serving no more than twenty (20) years of incarceration.
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30 SECTION 2. Arkansas Code § 16-93-621(a)(1), concerning the sentencing
31 of a minor for an offense committed before he or she was eighteen (18) years
32 of age and in which the death of another person did not occur, is amended to
33 read as follows:

34 (a)(1) A minor who was convicted and sentenced to the Department of
35 Correction for an offense committed before he or she was eighteen (18) years
36 of age and in which the death of another person did not occur, and that was



1 committed before, on, or after the effective date of this act, is eligible
2 for release on parole no later than after twenty (20) years of incarceration,
3 including any applicable sentencing enhancements, and including an instance
4 in which multiple sentences are to be served consecutively or concurrently,
5 unless by law the minor is eligible for earlier parole eligibility.

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7 SECTION 3. DO NOT CODIFY. Retroactivity.

8 This act shall be applied retroactively to all persons currently
9 serving a period of incarceration in the Department of Correction for an
10 offense that was committed before the person was eighteen (18) years of age,
11 regardless of the original sentences that were imposed.