

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

HOUSE BILL 1276

5 By: Representative Underwood
6 By: Senator Hester
7

For An Act To Be Entitled

9 AN ACT CONCERNING VOLUNTARY PRESUMPTIVE SENTENCING
10 STANDARDS OF A PERSON'S CRIMINAL HISTORY SCORE; AND
11 FOR OTHER PURPOSES.
12
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Subtitle

15 CONCERNING VOLUNTARY PRESUMPTIVE
16 SENTENCING STANDARDS OF A PERSON'S
17 CRIMINAL HISTORY SCORE.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 16-90-803(b)(2)(A) and (B), concerning
23 voluntary presumptive standards of a criminal history score used during
24 sentencing, are amended to read as follows:

25 (A) The offender's criminal history score shall be
26 computed from the following:

27 (i) Prior felony records;

28 (ii) Prior misdemeanor records;

29 (iii) Prior juvenile records, under certain
30 circumstances ~~outlined below~~ set out in subdivision (b)(2)(C) of this
31 section; and

32 (iv) Custody status at the time of the offense.

33 (B) The term "records", for the purpose of computing
34 criminal history scores, shall include all of the following that are entered
35 up to the date of sentencing for the offense:

36 (i) Convictions;



- 1 (ii) Findings of guilt;
- 2 (iii) Acceptance of pleas of guilty or nolo
- 3 contendere;
- 4 (iv) Instances ~~where~~ in which the defendant has been
- 5 placed on probation, suspended imposition of sentence, or suspended execution
- 6 of sentence;
- 7 (v) Records ~~which~~ that have been expunged after
- 8 August 31, 1994; and
- 9 (vi) Dismissals ordered after August 31, 1994,
- 10 pursuant to the First Offender Act, § 16-93-301 et seq.

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