

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 83rd General Assembly  
3 Regular Session, 2001

# A Bill

Act 1185 of 2001  
SENATE BILL 102

4  
5 By: Senator K. Smith  
6  
7

## For An Act To Be Entitled

9 AN ACT TO REPEAL OBSOLETE LANGUAGE IN ORDER TO PROVIDE  
10 THE CRIMINAL DETENTION FACILITIES REVIEW COORDINATOR  
11 THE AUTHORITY TO ESTABLISH MINIMUM STANDARDS FOR  
12 DETENTION FACILITIES; AND FOR OTHER PURPOSES.  
13

## Subtitle

14 TO PROVIDE THE CRIMINAL DETENTION  
15 FACILITIES REVIEW COORDINATOR THE  
16 AUTHORITY TO ESTABLISH MINIMUM STANDARDS  
17 FOR DETENTION FACILITIES.  
18  
19  
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 SECTION 1. Arkansas Code 12-26-104 is repealed.

24 ~~12-26-104. Criminal Detention Facilities Review Commission.~~

25 ~~(a) There is established a Criminal Detention Facilities Review~~  
26 ~~Commission, the members of which shall be appointed by the Governor.~~

27 ~~(b) The commission shall be responsible for developing guidelines for~~  
28 ~~the operation of local criminal detention facilities as defined in subdivision~~  
29 ~~(g)(4) of this section.~~

30 ~~(c) The commission membership shall consist of seventeen (17) persons~~  
31 ~~drawn from the following disciplines, professions, groups, and associations in~~  
32 ~~numbers as shown:~~

33 ~~(1) Three (3) sheriffs;~~

34 ~~(2) Three (3) chiefs of police;~~

35 ~~(3) Two (2) attorneys;~~

36 ~~(4) Two (2) nutritionists;~~

- 1                   ~~(5) Two (2) architects;~~
- 2                   ~~(6) Three (3) state citizens who are not related to the field of~~
- 3 ~~criminal justice, preferably from the education field;~~
- 4                   ~~(7) One (1) medical doctor; and~~
- 5                   ~~(8) One (1) dentist.~~
- 6           ~~(d) Commission members may receive expense reimbursement in accordance~~
- 7 ~~with § 25-16-901 et seq.~~
- 8           ~~(e) The commission will dissolve itself at the conclusion of the~~
- 9 ~~business meeting at which it approves the final printed copy of the minimum~~
- 10 ~~guidelines.~~
- 11           ~~(f) The coordinator of the commission shall make himself available to~~
- 12 ~~the commission in the capacity of an advisor.~~
- 13           ~~(g) As used in this section:~~
- 14                   ~~(1) "Coordinator" is the person appointed by the Governor under~~
- 15 ~~the provisions of § 12-26-103;~~
- 16                   ~~(2) "Criminal Detention Facilities Review Commission" means the~~
- 17 ~~commission established in subsection (a) of this section;~~
- 18                   ~~(3) "Criminal detention facility" means any institution in which~~
- 19 ~~prisoners may be held for any length of time whatsoever, including county city~~
- 20 ~~jails, regional jails, or any type of temporary holding facility;~~
- 21                   ~~(4) "Criminal detention review committee" or "committee" means a~~
- 22 ~~committee which was appointed by the Governor under the provisions of this~~
- 23 ~~chapter;~~
- 24                   ~~(5) "Guidelines for operating local criminal detention~~
- 25 ~~facilities" means those guidelines which will result from the work of the~~
- 26 ~~commission;~~
- 27                   ~~(6) "Intermediate/long term facility" means a criminal detention~~
- 28 ~~institution in which prisoners may be held from time of intake through a one-~~
- 29 ~~year period;~~
- 30                   ~~(7) "Short term facility" means any institution operated by a~~
- 31 ~~local unit of government in which persons may be incarcerated from time of~~
- 32 ~~intake up to sixty (60) days;~~
- 33                   ~~(8) "Twenty four (24) hour or overnight facility" means any~~
- 34 ~~institution operated by a local government in which persons may be~~
- 35 ~~incarcerated from time of intake up to twenty four (24) hours.~~
- 36

SECTION 2. Arkansas Code 12-26-102 is amended to read as follows:  
12-26-102. Definitions.

As used in this chapter, unless the context otherwise requires:

(1) "Board" means the Arkansas Criminal Detention Facilities Board;

(2) "Committee" means the criminal detention facilities review committee established in each of the judicial districts of this state; ~~and~~

(3) "Criminal detention facility" means any institution operated by a political jurisdiction or a combination of jurisdictions for the care, keeping, or rehabilitative needs of adult criminal offenders, including regional jails, county jails, municipal jails, and temporary holding units;

(4) "Intermediate/long-term facility" means a criminal detention institution in which prisoners may be held from time of intake through a one-year period;

(5) "Short-term facility" means any institution operated by a local unit of government in which persons may be incarcerated from time of intake up to sixty (60) days; and

(6) "Twenty-four (24) hour or overnight facility" means any institution operated by a local government in which persons may be incarcerated from time of intake up to twenty-four (24) hours.

SECTION 3. Arkansas Code Title 12, Chapter 26, Subchapter 1 is amended by adding an additional section to read as follows:

12-26-109. Advisory Council.

The Governor may establish a citizen advisory council composed of Arkansas citizens to advise the Criminal Detention Facilities Review Coordinator regarding jail standards.

SECTION 4. Arkansas Code 25-1-105(i)(1), concerning the filing of mission statements, is repealed.

~~(1) Criminal Detention Facilities Review Commission, § 12-26-104;~~

APPROVED: 3/29/2001