

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4  
5 By: Senator D. Sanders

# A Bill

SENATE BILL 260

## For An Act To Be Entitled

8 AN ACT CONCERNING THE DEFINITION OF RECIDIVISM FOR  
9 CERTAIN LAW ENFORCEMENT AGENCIES AND OTHER STATE  
10 AGENCIES TASKED WITH INCARCERATING OR MONITORING  
11 INMATES, PAROLEES, OR PROBATIONERS; TO REQUIRE A  
12 REPORT; AND FOR OTHER PURPOSES.

## Subtitle

16 CONCERNING THE DEFINITION OF RECIDIVISM  
17 FOR CERTAIN LAW ENFORCEMENT AGENCIES AND  
18 OTHER STATE AGENCIES TASKED WITH  
19 INCARCERATING OR MONITORING INMATES,  
20 PAROLEES, OR PROBATIONERS; AND TO REQUIRE  
21 A REPORT.

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

26 SECTION 1. Arkansas Code § 5-4-101 is amended to add a new definition  
27 to read as follows:

28 (6) "Recidivism" means a criminal act that results in the rearrest,  
29 reconviction, or return to incarceration of a person with or without a new  
30 sentence during a three-year period following the person's release from  
31 custody.

33 SECTION 2. Arkansas Code Title 12 is amended to add a chapter to read  
34 as follows:

### Chapter 1

### General Provisions



1  
2 12-1-101. Recidivism reporting.

3 (a) As used in this section, "recidivism" means a criminal act that  
4 results in the rearrest, reconviction, or return to incarceration of a person  
5 with or without a new sentence during a three-year period following the  
6 person's release from custody.

7 (b) An entity that makes a recidivism report under this title shall  
8 use the definition of recidivism in this section for purposes of the  
9 recidivism report.

10  
11 SECTION 3. Arkansas Code Title 16, Chapter 1, is amended to add a  
12 section to read as follows:

13 16-1-101. Recidivism definition and reporting.

14 (a) As used in this title, "recidivism" means a criminal act that  
15 results in the rearrest, reconviction, or return to incarceration of a person  
16 with or without a new sentence during a three-year period following the  
17 person's release from custody.

18 (b) An entity that makes a recidivism report under this title shall  
19 use the definition of recidivism in this section for purposes of the  
20 recidivism report.

21  
22 SECTION 4. DO NOT CODIFY. Temporary legislation.

23 (a) The Department of Community Correction shall prepare a report on  
24 the number of persons under its supervision for the last five (5) years who  
25 would be considered recidivists under the definition provided in this act.

26 (b) The report shall be completed by October 1, 2013, and copies shall  
27 be sent to the Governor and Legislative Council.

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30 **APPROVED: 04/10/2013**