

Hall of the House of Representatives

85th General Assembly - Regular Session, 2005

Amendment Form

Subtitle of House Bill No. 2672

"AN ACT CONCERNING PSYCHIATRIC REPORTS ON ACQUITTED DEFENDANTS."

Amendment No. 1 to House Bill No. 2672.

Amend House Bill No. 2672 as originally introduced:

Delete everything after the Enacting Clause and substitute the following:

“SECTION 1. Arkansas Code § 5-2-314(d), concerning psychiatric reports on acquitted defendants, is amended to read as follows:

(d)(1)(A) The director shall file the psychiatric or psychological report with the probate clerk of the circuit court having venue within thirty (30) days following ~~entry~~ receipt of an order of acquittal.

(B) If, before thirty (30) days, the director makes application to the court for an extension of time to file the report, and the court finds there is good cause for the delay, the court may order that additional time be allowed for the director to file the report.

(C) A hearing shall be conducted by the court and shall take place not later than ten (10) days following the filing of the report with the court.

(2) If the report is not filed within thirty (30) days following the director’s receipt of an order of acquittal, or within such additional time as authorized by the circuit court, the court may grant a petition for a writ of habeas corpus ordering the release of the defendant under terms and conditions which are reasonable and just for the defendant and societal concerns about the safety of persons and property of others.”



The Amendment was read _____

By: Representative Ledbetter
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Chief Clerk