

ARKANSAS SENATE
86th General Assembly - Regular Session, 2007
Amendment Form

Subtitle of Senate Bill No. 216

"TO PROVIDE THAT NONVIOLENT FELONY SEX OFFENDERS AWAITING TRANSFER
TO THE DEPARTMENT OF CORRECTION OR THE DEPARTMENT OF COMMUNITY
CORRECTION SHALL NOT BE TEMPORARILY RELEASED FROM THE CUSTODY OF A
SHERIFF."

Amendment No. 1 to Senate Bill No. 216.

Amend Senate Bill No. 216 as originally introduced:

Page 1, delete lines 27 through 36, and substitute the following:

"16-90-122. Post-conviction release of nonviolent offenders.

(a) ~~Any~~ Except as provided in subsection (b) of this section, any circuit judge may authorize the temporary release of an offender in the sheriff's custody who has:

(1) Been found guilty of or pleaded guilty or nolo contendere to a nonviolent felony offense in circuit court, ~~except nonviolent Class Y felony offenses listed in § 16-93-611;~~ and

(2) Been sentenced to a term of imprisonment and committed to the Department of Correction or the Department of Community Correction and is awaiting transfer to the Department of Correction or the Department of Community Correction.

(b) A circuit judge shall not authorize the temporary release of an offender under subsection (a) of this section if the offender has been found guilty of or pleaded guilty or nolo contendere to a:

(1) Class Y felony offense listed in § 16-93-611; or

(2) Felony sex offense listed in the definition of "sex offense" in § 12-12-903.

~~(b)(1)(c)(1)~~ The circuit judge may authorize the release under the terms and conditions which he or she determines are necessary to protect the public and to ensure the offender's return to custody upon notice that bed space is available at the Department of Correction or the Department of Community Correction.

(2) The circuit judge may require a cash or professional bond to be posted in an amount suitable to ensure the offender's return to custody."

AND



The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Hendren

GRH/PCC - 02-08-2007 12:27

GRH189

Secretary

Page 2, delete lines 1 through 9

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Hendren

GRH/PCC - 02-08-2007 12:27

GRH189

Secretary