

# Hall of the House of Representatives

87th General Assembly - Regular Session, 2009

## Amendment Form

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### Subtitle of House Bill No. 1894

"TO REQUIRE THE DEPARTMENT OF CORRECTION TO PROVIDE MANDATORY SKILLS TRAINING AND EDUCATIONAL OPPORTUNITIES AND TO MAKE AN INMATE'S RELEASE ON PAROLE CONDITIONED ON THE COMPLETION OF THESE PROGRAMS."

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### Amendment No. 1 to House Bill No. 1894.

Amend House Bill No. 1894 as originally introduced:

Add Representative Williams as a co-sponsor to the bill

AND

Add Senators Crumbly, Elliott, and H. Wilkins as co-sponsors to the bill

AND

Page 1, delete lines 11 through 18 and substitute:

"AN ACT TO AUTHORIZE THE DEPARTMENT OF CORRECTION TO EXPAND THE SKILLS TRAINING PROGRAM AND EDUCATIONAL OPPORTUNITIES FOR INMATES IN THE DEPARTMENT OF CORRECTION; AND FOR OTHER PURPOSES."

AND

Page 1, delete lines 21 through 25 and substitute:

"TO AUTHORIZE THE DEPARTMENT OF CORRECTION TO EXPAND EDUCATIONAL OPPORTUNITIES FOR INMATES QUALIFIED TO ENROLL IN COLLEGE OR UNIVERSITY COURSES."

AND

Delete everything after the enacting clause and substitute:

"SECTION 1. NOT TO BE CODIFIED.

Whereas, Arkansas Code § 12-28-101(a)(2) authorizes the Department of Correction to provide education and other rehabilitation and treatment programs designed to prepare inmates committed to the department for productive and law-abiding lives upon release from the Department of Correction; and



Whereas, Arkansas Code § 12-29-301 establishes the Department of Corrections School System to provide elementary, secondary, and vocational and technical education to qualified persons incarcerated in the Department of Correction and the Department of Community Correction and qualified persons supervised by the Department of Community Correction; and

Whereas, Arkansas Code § 12-29-101(d)(2) provides that inmates in the institutions of the Department of Correction may participate in and benefit from the vocational, educational, and rehabilitation services of their respective institutions solely within the rules and regulations of the department as determined by the director, subject to appeal and review by the Board of Corrections or a designated review board in accordance with procedures that shall be established by the board; and

Whereas, the Corrections School System along with the Department of Correction and the Department of Community Correction have entered into agreements to provide college courses to qualified persons under Administrative Regulation 500 which are taught onsite by accredited college and universities.”

SECTION 2. Arkansas Code § 12-28-101 is amended to read as follows:  
12-28-101. Facilities.

(a)(1) The Department of Correction, with the approval of the Board of Corrections, shall provide appropriate incarceration facilities for women, youthful offenders, and other adult offenders committed to the department by the courts of this state.

(2) The department shall also provide education and other rehabilitation and treatment programs designed to prepare inmates committed to the department for productive and law-abiding lives upon release from the department.

(3) The department may contract with state or private entities such as accredited colleges or universities to provide additional educational opportunities for inmates under the direction and authority of the board and the Corrections School System.

(b) Any facility built or occupied by the department for use as a correctional facility shall be given a designated name of ~~unit~~ “unit” or ~~center~~ “center” depending on its size, location, and purpose of usage.

SECTION 3. Arkansas Code § 12-28-104 is amended to read as follows:  
12-28-104. Paroling authority.

(a) The ~~Post Prison Transfer Parole~~ Board shall be paroling authority for the units of the Department of Correction and shall make recommendations to the Governor in cases from the criminal courts that, in the board’s opinion, the defendant in the case should be pardoned.

(b) The board shall consider the work skills, education, rehabilitation, and treatment programs recommended to the inmate upon intake and determine whether the inmate took advantage of those opportunities while incarcerated in department in making decisions regarding parole.

SECTION 4. Arkansas Code § 12-29-112 is amended to read as follows:  
12-29-112. Discharge or release.

(a) Inmates released upon completion of their term or released on parole shall be supplied with satisfactory clothing and a travel subsidy as prescribed by the Board of Corrections.

(b) Upon release of any inmate from any unit or center of the Department of Correction, the department shall provide transportation for the inmate to the closest commercial transportation pick-up point.

(c) Before the release of an inmate from any unit or center of the department, the department shall provide:

(1) Testing or screening of the inmate for human immunodeficiency virus (HIV); and

(2) Counseling regarding treatment options if the inmate tests positive for human immunodeficiency virus (HIV).

(d) An inmate released upon completion of his or her terms of incarceration shall be provided:

(1) Written and certified proof that he or she completed and satisfied all the terms of his or her incarceration; and

(2) Information on how to reinstate his or her voting rights upon discharge of his or her sentence.”

The Amendment was read \_\_\_\_\_  
By: Representative Blount  
BPG/BCS - 03-18-2009 14:17  
BPG306 \_\_\_\_\_ Chief Clerk