

Hall of the House of Representatives
91st General Assembly - Regular Session, 2017
Amendment Form

Subtitle of House Bill No. 1045

CONCERNING CRIMINAL VICTIM NOTIFICATION; AND CONCERNING THE RELEASE OF A PERSON
WHO COMMITTED A CRIMINAL ACT AND WAS ADJUDICATED TO HAVE A MENTAL DISEASE OR
DEFECT.

Amendment No. 1 to House Bill No. 1045

Amend House Bill No. 1045 as originally introduced:

Delete SECTION 3 in its entirety and substitute the following:

"SECTION 3. Arkansas Code § 16-90-1109 is amended to read as follows:
16-90-1109. Information concerning confinement or commitment.

(a)(1) Upon request of the victim, the Department of Correction, the
Arkansas State Hospital, ~~and any~~ a local or regional hospital, local or
regional mental health facility, or any other facility to which the defendant
is committed by the court shall:

~~(1)~~(A) Promptly inform the victim, through the use of the
victim notification system under § 12-12-1201 et seq. or other method of
personal communication, of the estimated date of the defendant's release from
confinement from a court-ordered commitment under § 5-2-301 et seq., if
reasonably ascertainable;

~~(2)~~(B) Inform the victim at least thirty (30) days before
release of the defendant on furlough or to a ~~work-release~~ work release,
halfway house, or other community program, if applicable; and

(C) Inform the victim as soon as possible but preferably
at least thirty (30) days before release of the defendant from a local or
regional hospital or local or regional mental health facility, if applicable;
and

~~(3)~~(D) Promptly inform the victim of the occurrence of any
of the following events concerning the defendant:

~~(A)~~(i) An escape from a correctional or mental
health facility or community program;

~~(B)~~(ii) A recapture;

~~(C)~~(iii) A decision of the Governor to commute the
sentence or to pardon;

~~(D)~~(iv) A release from confinement and any
conditions attached to the release; ~~and~~

(v) A discharge or conditional release or
modification of a previously ordered conditional release from a court-ordered
commitment under § 5-2-315; or



~~(E)~~(vi) The defendant's death.

(2) The requirement to inform a victim by a local or regional hospital or a local or regional mental health facility under this subsection may be accomplished by notifying by telephone or other electronic means the Arkansas State Hospital of the change of status of the defendant, and the Arkansas State Hospital shall then notify the victim through the victim notification system under § 12-12-1201 et seq. or other method of personal communication.

(b)(1) At least thirty (30) days before a Parole Board hearing concerning the defendant, if requested by the victim, the board shall inform the victim of the hearing and of the victim's right to submit to the board a victim impact statement and shall promptly inform the victim of any decision of the board.

(2)(A) It is the responsibility of the victim or his or her next of kin to notify the board of any change in address or telephone number.

(B) It is the responsibility of the victim or his or her next of kin to notify the board after the date of commitment of any change in regard to the desire to be notified of any future parole hearings."

The Amendment was read
By: Representative B. Smith
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BPG256

Chief Clerk