

ARKANSAS SENATE
95th General Assembly - Regular Session, 2025
Amendment Form

Subtitle of Senate Bill 539

TO UPDATE AND CLARIFY CERTAIN PORTIONS OF THE LAW REGARDING THE
DIVISION OF COMMUNITY CORRECTION AND THE DIVISION OF CORRECTION; TO
CLARIFY REFERENCES TO COMMUNITY CORRECTION CENTERS; AND TO DECLARE
AN EMERGENCY.

Amendment No. 1 to Senate Bill 539

Amend Senate Bill 539 as originally introduced:

Page 7, delete lines 29 and 30, and substitute the following:

"for immediate transport and the ~~Division of Correction or the Division of Community Correction~~ department shall consider the request in scheduling inmates for"

AND

Page 7, delete line 33, and substitute the following:

"of every inmate committed to ~~the Division of Correction~~ a secured facility operated or contracted by a division of the department, along with a"

AND

Page 19, delete lines 17 and 18, and substitute the following:

"(C) Increased substance abuse screening ~~and~~ or treatment, or both;"

AND

Page 24, delete line 5, and substitute the following:



CEB266 - 03-27-2025 05:40:33

Page 1 of 5

"SECTION 21. Arkansas Code § 16-93-712(d)(3), concerning administrative sanctions for parolees, is amended to read as follows:

(3) Intermediate sanctions shall include without limitation:

(A) Day reporting;
(B) Community service;
(C) Increased substance abuse screening or treatment, or both;

(D) Increased monitoring, including electronic monitoring and home confinement; and

(E)(i) Incarceration in a county jail for no more than seven (7) days or incarceration in a ~~Division of Community Correction facility or Division of Correction facility~~ operated or contracted by a division of the Department of Corrections for no more than one hundred twenty (120) days.

(ii)(a) Incarceration as an intermediate sanction shall not be used more than six (6) times with an individual parolee.

(b) A parolee shall accumulate no more than twenty-one (21) days' incarceration in a county jail or no more than two hundred forty (240) days' incarceration in a ~~Division of Community Correction facility or Division of Correction facility~~ operated or contracted by a division of the department as an intermediate sanction before the community supervision officer recommends a violation of the person's parole under § 16-93-706.

(c) A parolee is subject to a period of incarceration of:

(1) Up to sixty (60) days in a ~~Division of Community Correction facility or Division of Correction facility~~ operated or contracted by a division of the department for a technical conditions violation; and

(2) One hundred twenty (120) days in a ~~Division of Community Correction facility or Division of Correction facility~~ operated or contracted by a division of the department for a serious conditions violation.

(d) A parolee may not be incarcerated more than two (2) times as a parole sanction in a ~~Division of Community Correction facility or Division of Correction facility~~ operated or contracted by a division of

the department facility during a two-year period.

SECTION 22. Arkansas Code § 16-93-1202(2)(G)(i), concerning the things"

AND

Page 25, line 10, delete "center or program is" and substitute "center ~~or~~ program is"

AND

Page 28, delete lines 14 and 15, and substitute the following:

"SECTION 28. Arkansas Code § 16-93-1907(a)(3), concerning administrative sanctions for post-release supervision, is amended to read as follows:

(3) Intermediate sanctions shall include without limitation:

(A) Community service;

(B) Increased substance abuse screening and treatment;

(C) Increased monitoring, including electronic monitoring and home confinement; and

(D)(i) Incarceration in a county or regional jail for no more than seven (7) days or incarceration in a ~~Division of Correction facility or a Division of Community Correction facility~~ operated or contracted by a division of the Department of Corrections for no more than ninety (90) days.

(ii)(a) Incarceration as an intermediate sanction shall not be used more than six (6) times with an offender on post-release supervision.

(b) If an offender on post-release supervision accumulates more than thirty (30) days' incarceration in a county or regional jail or more than three hundred sixty (360) days' incarceration in a ~~Division of Correction facility or a Division of Community Correction facility~~ operated or contracted by a division of the department as an intermediate sanction, the community supervision officer shall recommend a revocation of the offender's post-release supervision under § 16-93-1908.

(c) An offender shall not be incarcerated more than two (2) times as a result of an intermediate sanction in a ~~Division of Correction~~ facility operated or contracted by a division of the department during any two-year period.

SECTION 29. DO NOT CODIFY. Temporary language.

The Residential Services Section of the Division of Community"

AND

Page 28, delete lines 18 and 19, and substitute the following:

"unexpended balances of appropriations, allocations, and other funds that are utilized for the operation of"

AND

Page 28, delete lines 27 and 28, and substitute the following:

"unexpended balances of appropriations, allocations, and other funds are transferred to the"

AND

Page 29, delete line 10, and substitute the following:

"overriden, the date the last house overrides the veto.

SECTION 31. DO NOT CODIFY. CONSTRUCTION.

(a) Except as provided in subsection (b) of this section, to the extent that a conflict exists between an act of the regular session of the Ninety-Fifth General Assembly and this act:

(1) Section 1-2-107 shall not apply; and

(2) All of the enactments of each act shall be given effect except to the extent of irreconcilable conflicts, in which case the conflicting provision of this act shall prevail.

(b) This section shall not revive or re-enact any provision of the Arkansas Code that has been repealed by an act of the regular session of the Ninety-Fifth General Assembly, including without limitation this act."

AND

Appropriately renumber the sections of the bill

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

By: Senator Gilmore

CEB/CEB - 03-27-2025 05:40:33

CEB266

Secretary