

1 State of Arkansas  
2 80th General Assembly  
3 Regular Session, 1995

# A Bill

HOUSE BILL 1287

4 By: Representatives Beatty, M. Wilson, B.G. Hendrix

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## For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 16-93-1202 TO REDEFINE THE  
9 TERM TARGET GROUP; AND FOR OTHER PURPOSES."

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## Subtitle

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12 "TO AMEND ARKANSAS CODE 16-93-1202 TO  
13 REDEFINE THE TERM TARGET GROUP"

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15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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17 SECTION 1. Arkansas Code 16-93-1202 (1)(1) is amended to read as  
18 follows:

19 "(1)(1) Target group means a group of offenders and offenses,  
20 determined to be, but not limited to, theft, theft by receiving, hot checks,  
21 commercial burglary, failure to appear, fraudulent use of credit cards,  
22 criminal mischief, breaking or entering, drug paraphernalia, driving while  
23 intoxicated, fourth or subsequent offense, and all other Class C or D  
24 felonies which are not either violent or sexual and which meet the  
25 eligibility criteria determined by the General Assembly to have significant  
26 impact on the use of correctional resources. Offenders committing  
27 solicitation, attempt or conspiracy of the substantive offenses listed above  
28 are also included in the group. For the purposes of this subchapter,  
29 violent or sexual includes all offenses against the person codified in  
30 Chapters 10-14 of Title 5 of the Arkansas Code and any offense containing as  
31 an element of the offense the following:

- 32 (1) the use of physical force;  
33 (2) the use or threatened use of serious physical force;  
34 (3) the infliction of physical harm; or  
35 (4) the creation of a substantial risk of serious physical harm."

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SECTION 2. The inmate transfer provisions in Arkansas Code Annotated 16-93-206(b)(1)(A)(ii) and 16-93-1301(b)(2) shall expire on April 1, 1997.

SECTION 3. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 4. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 5. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 6. EMERGENCY. It is hereby found and determined by the General Assembly that the inmate transfer provisions of Arkansas Code 16-93-206 and 1301 expire on April 1, 1995; that those provisions should continue in effect until April 1, 1997; that this act so provides; and that unless this act goes into effect immediately it will not be effective until after the expiration of those provisions. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

*/s/Rep. Beatty, et al*

