

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

A Bill

HOUSE BILL 1941

4 By: Representative Ferrell

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED §12-30-407 TO
9 MAKE CERTAIN INMATES INELIGIBLE FOR RELEASE TO APPROVED
10 JAIL FACILITIES; AND FOR OTHER PURPOSES."

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Subtitle

12 "TO MAKE CERTAIN INMATES INELIGIBLE FOR
13 RELEASE TO APPROVED JAIL FACILITIES"

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

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18 SECTION 1. Arkansas Code §12-30-407 is amended to read as follows:
19 "12-30-407. Housing of participants. [Effective January 1, 1994.]

20 (a)(1) The Board of Correction and Community Punishment may promulgate
21 rules and regulations to allow the proper classification of inmates to be
22 released to the sheriff of approved jail facilities or community punishment
23 centers outside the Department of Correction. Such inmates are to work at
24 jobs that directly benefit those facilities and are to be under supervision
25 at all times.

26 (2) Inmates so released shall be entitled to credit on their
27 sentences under the meritorious classification system of the Department of
28 Correction.

29 (3) Inmates convicted of the following offenses shall be ineligible
30 for release under the provisions of this subsection:

- 31 A. Capital murder, §5-10-101;
- 32 B. Murder in the first degree, §5-10-102;
- 33 C. Kidnapping (Class Y felony), §5-11-102;
- 34 D. Aggravated robbery, §5-12-103;
- 35 E. Terroristic act (Class Y felony), §5-13-310;

1 F. Any sexual offense under Chapter 14 of the _Arkansas Criminal
2 Code_;

3 G. Causing a catastrophe (Class Y felony), §5-38-202; or

4 H. Arson (Class Y felony), §5-38-301.

5 (b) The number of persons on prerelease and work-release programs of
6 the Department of Correction that may be housed at the Benton Services Center
7 shall not exceed two hundred twenty-five (225). Provided, with the approval
8 of the State Hospital Board and the Administrator of the Benton Services
9 Center, a maximum of three hundred twenty-five (325) persons on prerelease
10 and work-release programs may be housed at the center.

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12 SECTION 2. All provisions of this act of a general and permanent
13 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
14 Code Revision Commission shall incorporate the same in the Code.

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16 SECTION 3. If any provision of this act or the application thereof to
17 any person or circumstance is held invalid, such invalidity shall not affect
18 other provisions or applications of the act which can be given effect without
19 the invalid provision or application, and to this end the provisions of this
20 act are declared to be severable.

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22 SECTION 4. All laws and parts of laws in conflict with this act are
23 hereby repealed.

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