

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997

As Engrossed: S4/2/97

# A Bill

HOUSE BILL 2222

4  
5 By: Representative Roberts

## For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 12-30-407 TO  
10 PROVIDE FOR THE NOTIFICATION OF THE VICTIM OR THE VICTIM'S  
11 IMMEDIATE FAMILY WHEN AN INMATE OF THE DEPARTMENT OF  
12 CORRECTION IS RELEASED ON WORK-STUDY AND IS RETURNING TO  
13 THE COUNTY FROM WHICH HE WAS TRIED AND CONVICTED; AND FOR  
14 OTHER PURPOSES."

## Subtitle

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17 "TO PROVIDE FOR THE NOTIFICATION OF THE  
18 VICTIM OR THE VICTIM'S IMMEDIATE FAMILY  
19 WHEN AN INMATE OF THE DEPARTMENT OF  
20 CORRECTION IS RELEASED ON WORK-STUDY AND  
21 IS RETURNING TO THE COUNTY FROM WHICH HE  
22 WAS TRIED AND CONVICTED"

23  
24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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26 SECTION 1. Arkansas Code Annotated § 12-30-407 is amended to read as  
27 follows:

28 "12-30-407. Housing of participants.

29 (a)(1) The Board of Correction and Community Punishment may promulgate  
30 rules and regulations to allow the proper classification of inmates to be  
31 released to the sheriffs of approved jail facilities or community punishment  
32 centers outside the Department of Correction. Such inmates are to work at jobs  
33 that directly benefit those facilities and are to be under supervision at all  
34 times.

35 (2)(A) Inmates so released shall be entitled to credit on their  
36 sentences under the meritorious classification system of the Department of

1 Correction.

2 (B) However, no inmate shall be eligible to be released to  
3 the sheriff of an approved jail facility unless the inmate is within thirty  
4 (30) months of his first parole eligibility date or his first post-prison  
5 transfer eligibility date, unless:

6 (i) The inmate is returning to the county from which  
7 he was tried and convicted and the victim or victim's immediate family, if  
8 residing in the county from which the inmate was tried and convicted, have  
9 been notified of the inmate's return; or

10 (ii)(a) If the inmate is released to a county other  
11 than a county from which he was tried and convicted, the sheriff of the county  
12 from which he was tried and convicted shall be notified.

13 (b) Unless the sheriff responds within fifteen  
14 (15) days of notification that he disapproves of the transfer, the inmate may  
15 be transferred as provided in this section.

16 (b) The number of persons on prerelease and work-release programs of  
17 the Department of Correction that may be housed at the Benton Services Center  
18 shall not exceed two hundred twenty-five (225). Provided, with the approval of  
19 the State Hospital Board and the Administrator of the Benton Services Center,  
20 a maximum of three hundred twenty-five (325) persons on prerelease and  
21 work-release programs may be housed at the center.

22 (c) Inmates released to the sheriff of approved jail facilities or  
23 community punishment centers pursuant to § 12-30-407 prior to July 28, 1995  
24 shall remain eligible for release, notwithstanding the provisions of this  
25 section."

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

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31 SECTION 3. If any provision of this act or the application thereof to  
32 any person or circumstance is held invalid, such invalidity shall not affect  
33 other provisions or applications of the act which can be given effect without  
34 the invalid provision or application, and to this end the provisions of this  
35 act are declared to be severable.

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

3   */s/Roberts*

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