

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999  
4

*As Engrossed: H2/11/99*

# A Bill

HOUSE BILL 1422

5 By: Representative Vess  
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## For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 5-54-131 TO ALLOW AN  
10 ORDER FROM A COURT OF COMPETENT JURISDICTION OR A  
11 DETERMINATION OF THE SHERIFF OR HIS DESIGNEE PLACING A  
12 PERSON ON ELECTRONIC MONITORING TO REMAIN VALID UNTIL  
13 SUCH TIME AS IT IS CHANGED BY THE SAME COURT, ANOTHER  
14 COURT OF COMPETENT JURISDICTION, OR BY THE SHERIFF OR  
15 HIS DESIGNEE; AND FOR OTHER PURPOSES."

## Subtitle

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18 "TO ALLOW AN ORDER PLACING A PERSON ON  
19 ELECTRONIC MONITORING TO REMAIN VALID  
20 UNTIL CHANGED BY THE COURT, THE SHERIFF  
21 OR HIS DESIGNEE."  
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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26 SECTION 1. Arkansas Code 5-54-131 is amended to read as follows:

27 "5-54-131. Absconding.

28 (a) A person commits the offense of absconding if the person knowingly:

29 (1) Leaves a designated residence while under house arrest  
30 ordered as a condition of the person's release on a criminal offense by a  
31 court of competent jurisdiction; or

32 (2) Leaves a designated area while wearing an electronic  
33 monitoring device ordered by a court of competent jurisdiction or sheriff or  
34 his designee as a condition of the person's release on a criminal offense. A  
35 determination by the sheriff or his designee placing a person on electronic  
36 monitoring remains valid until changed by the sheriff or his designee.

1 (b) The offense of absconding is a Class D felony.”

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

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7 SECTION 3. If any provision of this act or the application thereof to  
8 any person or circumstance is held invalid, such invalidity shall not affect  
9 other provisions or applications of the act which can be given effect without  
10 the invalid provision or application, and to this end the provisions of this  
11 act are declared to be severable.

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

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/s/ Vess