

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

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

A Bill

SENATE BILL 795

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5 By: Senator Everett
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For An Act To Be Entitled

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9 "AN ACT TO AMEND ARKANSAS CODE § 5-4-309(f) TO CLARIFY
10 THE TERM "ANY SENTENCE"; AND FOR OTHER PURPOSES."

Subtitle

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13 "TO AMEND ARKANSAS CODE § 5-4-309(f) TO
14 CLARIFY THE TERM "ANY SENTENCE". "

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

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19 SECTION 1. Arkansas Code 5-4-309(f) is amended to read as follows:

20 "(f) If the court revokes a suspension or probation, it may enter a
21 judgment of conviction and may impose any sentence on the defendant that might
22 have been imposed originally for the offense of which he was found guilty,
23 provided that any sentence to pay a fine or to imprisonment when combined with
24 any previous fine or imprisonment imposed for the same offense shall not
25 exceed the limits of § 5-4-201 or § 5-4-401, or, if applicable, § 5-4-501. FOR
26 PURPOSES OF THIS SUBSECTION, THE TERM "ANY SENTENCE" INCLUDES THE EXTENSION OF
27 A PERIOD OF SUSPENSION OR PROBATION. IF UPON REVOCATION, AN EXTENSION OF
28 SUSPENSION OR PROBATION IS MADE, THE COURT IS NOT DEPRIVED OF THE ABILITY TO
29 REVOKE SUCH SUSPENSION OR PROBATION AGAIN, SHOULD THE DEFENDANT'S CONDUCT SO
30 WARRANT. "

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

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36 SECTION 3. If any provision of this act or the application thereof to

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

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

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