

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003

A Bill

SENATE BILL 720

4
5 By: Senators J. Bookout, Capps, Glover

For An Act To Be Entitled

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9 AN ACT TO AMEND THE PRISON OVERCROWDING EMERGENCY
10 POWERS ACT; AND FOR OTHER PURPOSES.

Subtitle

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13 AN ACT TO AMEND THE PRISON OVERCROWDING
14 EMERGENCY POWERS ACT.

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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 § 12-28-603 is amended to read as follows:
20 12-28-603. Declaration of emergency.

21 (a)(1) Whenever the population of the prison system exceeds ~~ninety-~~
22 ~~eight percent (98%)~~ ninety percent (90%) of the rated capacity for thirty
23 (30) consecutive days, the board may declare a prison overcrowding state of
24 emergency.

25 (2) In making any emergency request, the board shall certify the
26 rated capacity and current population of the prison system and shall further
27 certify that all authorized actions consistent with applicable state laws and
28 regulations have been exhausted in an attempt to reduce the prison population
29 to ~~ninety-eight percent (98%)~~ ninety percent (90%) of the rated capacity.

30 (b) The board is hereby authorized to invoke this subchapter
31 separately for those facilities housing either male or female inmate
32 populations, provided all other requirements of this subchapter are met.
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