

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 85th General Assembly  
3 Regular Session, 2005

# A Bill

HOUSE BILL 1184

4  
5 By: Representative Thomason  
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## For An Act To Be Entitled

9 AN ACT TO ASSURE ELECTRONIC MONITORING AND OTHER  
10 METHODS OF JAIL POPULATION MANAGEMENT ARE  
11 AUTHORIZED FOR ALL JAILS IN ARKANSAS; AND FOR  
12 OTHER PURPOSES.  
13

## Subtitle

14 AN ACT TO ASSURE ELECTRONIC MONITORING  
15 AND OTHER METHODS OF JAIL POPULATION  
16 MANAGEMENT ARE AUTHORIZED FOR ALL JAILS  
17 IN ARKANSAS.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code § 12-41-503 is amended to read as follows:  
24 12-41-503. Management of local jail populations.

25 (a) Sheriffs and other keepers or administrators of jails within the  
26 State of Arkansas are responsible for managing the populations and operations  
27 of their respective facilities in compliance with the laws and constitution  
28 of this state and within the requirements of the United States Constitution.

29 (b) Neither sheriffs nor other keepers or administrators of jails  
30 shall refuse to accept any prisoner lawfully arrested or committed within the  
31 jurisdiction of the supporting agency of the jail except as necessary to  
32 limit prisoner population in compliance with subsection (a) of this section.

33 (c) A sheriff, or his or her designee, ~~in counties with a population~~  
34 ~~of over two hundred fifty thousand (250,000) persons~~ shall be permitted to  
35 determine if persons convicted and sentenced to the county jail shall serve  
36 their sentences on electronic monitoring or on weekends when this does not



1 conflict with any court orders.

2 (d) When more than one (1) legal jurisdiction, i.e., counties or  
3 municipalities, share a common jail, the participating jurisdictions may  
4 enter into agreements to share the operational costs of such jail.

5 (e) When a shared jail is operated and a jurisdiction which is  
6 eligible to participate in the shared operation opts not to participate,  
7 then, in the event that the jurisdiction has prisoners committed to the  
8 shared jail, that jurisdiction may be required to pay fixed per diem charges,  
9 not to exceed actual costs, including capital costs, for each prisoner  
10 committed or housed in the jail.

11 (f) Agreements with agencies or jurisdictions not eligible for  
12 participation in a shared jail operation project may be made for the housing  
13 of prisoners, provided the charges assessed do not exceed the actual costs,  
14 including capital costs.

15 (g) Jails shall accept prisoners of the United States Government  
16 provided space and staffing are available and the delivering government  
17 agency agrees to pay a per diem charge not to exceed the actual costs,  
18 including capital costs.

19 (h) Nothing in this section prohibits any jurisdiction from entering  
20 into a contractual agreement with a private organization for the operation of  
21 a jail facility.

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