

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
4
5 By: Senator T. Smith
6
7

A Bill

SENATE BILL 1049

For An Act To Be Entitled

9 AN ACT TO AUTHORIZE THE POST PRISON TRANSFER
10 BOARD TO PLACE CERTAIN FIRST-TIME OFFENDERS ON
11 CONFINEMENT ON ELECTRONIC GPS MONITORING; AND FOR
12 OTHER PURPOSES.

Subtitle

15 AN ACT TO AUTHORIZE THE POST PRISON
16 TRANSFER BOARD TO PLACE CERTAIN FIRST-
17 TIME OFFENDERS ON CONFINEMENT ON
18 ELECTRONIC GPS MONITORING.
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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 Title 16, Chapter 90 Subchapter 4 is amended
24 to add a new section:

25 16-90-410. (a) The Post Prison Transfer Board may determine that a
26 first-time offender who has been sentenced to a term of confinement in the
27 Department of Correction for the conviction of a felony that is not violent
28 or sexual in nature, or listed in § 16-93-611, will serve the term of
29 confinement on electronic global positioning system monitoring, subject to
30 conditions imposed by the board.

31 (b)(1) The conditions imposed by the board shall at a minimum require
32 that the eligible first-time offender pay the cost of the electronic global
33 positioning system monitoring.

34 (2) Failure to abide by all the conditions imposed by the board
35 shall subject the offender to immediate removal from the electronic global
36 positioning system monitoring and subsequent confinement in a Department of



1 Correction facility.

2 (c) For purposes of this section, "violent or sexual" includes:

3 (A) All offenses against the person codified in chapters 10 – 14
4 of Title 5 of the Arkansas Code; and

5 (B) Any offense containing as an element the following:

6 (1) The use of physical force;

7 (2) The use of threatened use of serious physical force;

8 (3) The infliction of physical harm; or

9 (4) The creation of a substantial risk of serious physical

10 harm.

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