

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 86th General Assembly  
3 Regular Session, 2007

# A Bill

SENATE BILL 858

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5 By: Senator Luker  
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## For An Act To Be Entitled

8  
9 AN ACT CONCERNING DISCRETIONARY TRANSFER TO THE  
10 DEPARTMENT OF COMMUNITY CORRECTION BY THE PAROLE  
11 BOARD; AND FOR OTHER PURPOSES.  
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## Subtitle

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14 AN ACT CONCERNING DISCRETIONARY TRANSFER  
15 TO THE DEPARTMENT OF COMMUNITY  
16 CORRECTION BY THE PAROLE BOARD.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code § 16-93-206(c)(1), concerning eligibility for  
22 discretionary transfer to the Department of Community Correction by the  
23 Parole Board, is amended to read as follows:

24 (c)(1) A person who commits the following felonies on or after January  
25 1, 1994, shall be eligible to be considered for discretionary transfer to the  
26 Department of Community Correction by the Parole Board after having served  
27 one-third (1/3) or one-half (1/2) of his or her sentence, with credit for  
28 meritorious good time, depending on the seriousness determination made by the  
29 Arkansas Sentencing Commission, or one-half (1/2) of the time to which his or  
30 her sentence is commuted by executive clemency, with credit for meritorious  
31 good time:

32 (A) Any homicide, §§ 5-10-101 - 5-10-105;

33 (B) Sexual assault in the first degree, § 5-14-124;

34 (C) Sexual assault in the second degree, § 5-14-125;

35 ~~(G)~~(D) Battery in the first degree, § 5-13-201;

36 ~~(D)~~(E) Domestic battering in the first degree, § 5-26-303;



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~~(E)~~(F) The following Class Y felonies:

- (i) Kidnapping, § 5-11-102;
- (ii) Rape, § 5-14-103;
- (iii) Aggravated robbery, § 5-12-103;
- (iv) Causing a catastrophe, § 5-38-202(a);

~~(F)~~(G) Engaging in a continuing criminal enterprise, § 5-64-405; or

~~(G)~~(H) Simultaneous possession of drugs and firearms, § 5-74-106.