

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

HOUSE BILL 1021

5 By: Representative Wright
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For An Act To Be Entitled

8 AN ACT CONCERNING THE TRANSPORTATION OF INMATES IN
9 THE CUSTODY OF THE DEPARTMENT OF CORRECTION OR THE
10 DEPARTMENT OF COMMUNITY CORRECTION FOR LEGAL
11 PROCEEDINGS; AND FOR OTHER PURPOSES.
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Subtitle

14 CONCERNING THE TRANSPORTATION OF INMATES
15 IN THE CUSTODY OF THE DEPARTMENT OF
16 CORRECTION OR THE DEPARTMENT OF COMMUNITY
17 CORRECTION FOR LEGAL PROCEEDINGS.
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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 § 12-29-111 is amended to read as follows:

24 12-29-111. Transport of inmate required for criminal or civil legal
25 proceeding.

26 (a) ~~When~~ If an inmate in the care and custody of the Department of
27 Correction or the Department of Community Correction is required to be
28 present during a criminal legal proceeding of any court in this state, ~~it~~
29 ~~shall be the duty of~~ the county sheriff of the county in which the criminal
30 legal proceeding ~~will take~~ takes place ~~to~~ shall take custody of the inmate at
31 the institution where the inmate is confined, ~~and to then~~ transport the
32 inmate to the appropriate county, and make him or her available to the court.

33 (b) At the conclusion of the criminal legal proceeding, the county
34 sheriff shall transport the inmate back to the unit of the Department of
35 Correction or the Department of Community Correction from which the inmate
36 was received and shall return custody of the inmate to the Department of



1 Correction or Department of Community Correction officials.

2 (c)(1)(A) ~~The~~ If a county sheriff has custody of an inmate while
3 transporting him or her to a criminal legal proceeding, the county sheriff's
4 office ~~shall be~~ is responsible for the custody, sustenance, and safety of the
5 inmate from the time the inmate is placed into its custody until the time
6 custody of the inmate is returned to the Department of Correction or the
7 Department of Community Correction.

8 ~~(2)(B)~~ The county in which the criminal legal proceeding
9 is held ~~shall be~~ is responsible for all expenses relating to the
10 transportation and care of the inmate.

11 (2) If a county sheriff has custody of an inmate for the
12 inmate's civil legal proceeding, the Department of Correction or the
13 Department of Community Correction is responsible for the expenses relating
14 to the transportation and care of the inmate.

15 (d) While transporting an inmate ~~pursuant to~~ under this section, a
16 county sheriff ~~shall have~~ has the full ~~power and~~ authority of his or her
17 office in any county of this state in matters relating to the transportation.

18 (e) ~~There shall be excluded from this section~~ This section does not
19 apply to the transportation and care costs for court appearances arising from
20 charges brought by the Department of Correction against the inmate for
21 offenses committed while the inmate is under the custody and care of the
22 Department of Correction.

23 (f) If an inmate in the care and custody of the Department of
24 Correction or the Department of Community Correction is required to be
25 present during a civil legal proceeding of any court in this state, the
26 Department of Correction shall transport the inmate to and from the civil
27 legal proceeding.

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