1	State of Arkansas	As Engrossed: \$2/12/13		
2	89th General Assembly	A Bill		
3	Regular Session, 2013		SENATE BILL 257	
4				
5	By: Senator D. Sanders			
6				
7		For An Act To Be Entitled		
8	AN ACT TO	T TO REVISE THE PAROLE STATUTES; TO REQUIRE THAT		
9	A PERSON ON PAROLE WHO VIOLATES HIS OR HER PAROLE DUE			
10	TO COMMITTING A PARTICULAR SUBSEQUENT FELONY OFFENSE			
11	SERVE THE ENTIRE REMAINDER OF HIS OR HER ORIGINAL			
12	SENTENCE;	AND FOR OTHER PURPOSES.		
13				
14				
15	Subtitle			
16	TO 1	REVISE THE PAROLE STATUTES; TO REQUIRE		
17	THA'	T A PERSON ON PAROLE WHO VIOLATES HIS		
18	OR 1	HER PAROLE DUE TO COMMITTING A		
19	PAR'	TICULAR SUBSEQUENT FELONY OFFENSE		
20	SER	VE THE REMAINDER OF HIS OR HER		
21	ORI	GINAL SENTENCE.		
22				
23				
24	BE IT ENACTED BY THE	GENERAL ASSEMBLY OF THE STATE OF ARKA	NSAS:	
25				
26	SECTION 1. Ark	kansas Code § 16-93-615(b)(1), regardi	ng certain	
27	discretionary transfe	ers of inmates to the Department of Co	mmunity Correction	
28	by the Parole Board,	is amended to read as follows:		
29	(b)(l) An inma	ate under sentence for one (1) of the	following felonies	
30	shall be <u>is</u> eligible	for discretionary transfer to the Dep	artment of	
31	Community Correction by the Parole Board after having served one-third $(1/3)$			
32	or one-half $(\frac{1}{2})$ of his or her sentence, with credit for meritorious good			
33	time, depending on the seriousness determination made by the Arkansas			
34	Sentencing Commission	Sentencing Commission, or one-half $(\frac{1}{2})$ of the time to which his or her		
35	sentence is commuted by executive clemency, with credit for meritorious good			
36	time:			

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1
                       (A) Any homicide, §§ 5-10-101 - 5-10-105, unless the
 2
     offense is listed under § 16-93-612(e)(1);
                       (B) Sexual assault in the first degree, § 5-14-124;
 3
 4
                       (C) Sexual assault in the second degree, § 5-14-125;
 5
                       (D) Battery in the first degree, § 5-13-201;
 6
                       (E) Domestic battering in the first degree, § 5-26-303; or
 7
                       (F) The following Class Y felonies:
 8
                             (i) Kidnapping, § 5-11-102, unless the offense is
9
     listed under § 16-93-612(e)(1);
                             (ii) Rape, § 5-14-103, unless the offense is listed
10
11
     under § 16-93-612(e)(1);
12
                             (iii) Aggravated robbery, § 5-12-103, unless the
13
     offense is listed under § 16-93-612(e)(1); or
                             (iv) Causing a catastrophe, § 5-38-202(a), unless
14
15
     the offense is listed under § 16-93-612(e)(1);
16
                       (G) Engaging in a continuing criminal enterprise, § 5-64-
17
    405; or
18
                       (H) Simultaneous possession of drugs and firearms, § 5-74-
19
     <del>106.</del>
20
                       (A) Unless the offense is listed under § 16-93-612(e)(1),
21
     the following homicide offenses:
22
                             (i) Capital murder, § 5-10-101, or attempted capital
23
    murder;
24
                             (ii) Murder in the first degree, § 5-10-102, or
25
     attempted murder in the first degree;
26
                             (iii) Murder in the second degree, § 5-10-103;
27
                             (iv) Manslaughter, § 5-10-104;
28
                             (v) Negligent homicide, § 5-10-105; or
29
                             (vi) An offense under § 5-54-201 et seq.;
30
                       (B) Unless the offense is listed under § 16-93-612(e)(1),
     the following Class Y felonies:
31
32
                             (i) Kidnapping, § 5-11-102;
33
                             (ii) Aggravated robbery, § 5-12-103, or attempted
34
     aggravated robbery;
35
                             (iii) Terroristic act, § 5-13-310;
36
                             (iv) Causing a catastrophe, § 5-38-202(a);
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1	(v) Arson, § 5-38-301;		
2	(vi) Aggravated residential burglary, § 5-39-204; or		
3	(vii) Unlawful discharge of a firearm from a		
4	vehicle, § 5-74-107;		
5	(C) An offense for which the person is required to		
6	register as a sex offender under the Sex Offender Registration Act of 1997, §		
7	12-12-901 et seq., unless the offense is listed under § 16-93-612(e)(1);		
8	(D) Battery in the first degree, § 5-13-201;		
9	(E) Domestic battering in the first degree, § 5-26-303;		
10	(F) Engaging in a continuing criminal enterprise, § 5-64-		
11	405; or		
12	(G) Simultaneous possession of drugs and firearms, § 5-74-		
13	<u>106.</u>		
14	SECTION 2. Arkansas Code § 16-93-615(b), regarding certain		
15	discretionary transfers of inmates to the Department of Community Correction		
16	by the Parole Board, is amended to add a new subdivision to read as follows:		
17	(7) A person transferred to community correction under		
18	subdivision (b)(l) of this section shall serve the remainder of his or her		
19	original sentence without the possibility of parole if the person has his or		
20	her parole revoked for committing one (1) or more of the following felony		
21	offenses while on parole:		
22	(A) A felony involving violence as defined under § 5-4-		
23	501(d)(2);		
24	(B) An offense for which the person is required to		
25	register as a sex offender under the Sex Offender Registration Act of 1997, §		
26	12-12-901 et seq.; or		
27	(C) A felony listed under 16-93-615(b)(1).		
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29	/s/D. Sanders		
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