1	State of Arkansas	As Engrossed: \$3/24/15	
2	90th General Assembly	A Bill	
3	Regular Session, 2015		SENATE BILL 1042
4			
5	By: Senator J. Woods		
6			
7		For An Act To Be Entitled	
8		NCERNING PRISON OVERCROWDING; CONCERN	IING
9		D PAROLE ELIGIBILITY AND PROCEDURES;	
10		IG PROBATION AND PROBATION ELIGIBILITY	
11		S; CONCERNING CRIMINAL JUSTICE AND PU	
12		TO DECLARE AN EMERGENCY; AND FOR OTHER	
13	PURPOSES.		
14 15			
16		Subtitle	
10	CON	CERNING PRISON OVERCROWDING;	
18		CERNING PAROLE AND PAROLE ELIGIBILITY	
19		PROCEDURES; CONCERNING CRIMINAL	
20		TICE AND PUBLIC SAFETY; AND TO DECLAR	E
21		EMERGENCY.	-
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23			
24	BE IT ENACTED BY THE	GENERAL ASSEMBLY OF THE STATE OF ARKA	NSAS:
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26	SECTION 1. Art	ansas Code § 16-93-201, as amended by	7 SB472 of 2015, is
27	amended to read as fo	ollows:	
28	16-93-201. Cre	eation - Members - Qualifications and	training.
29	(a)(l) There z	is created the Parole Board, to be com	nposed of seven (7)
30	members to be appoint	ted from the state at large by the Gov	vernor and confirmed
31	by the Senate.		
32	(2)(A)(i,	A member of the board shall be a fu	<i>ill-time official of</i>
33	this state and shall	not have any other employment for the	e duration of his or
34	her appointment to th	ne board.	
35		(ii)(a) A member of the board who) is currently
36	serving as of the eff	fective date of this act shall termina	ite any other



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1 employment that has not been approved as required by subdivision 2 (a)(2)(A)(ii)(b) of this section. 3 (b) A member may engage in employment that has 4 a limited time commitment with approval from the Chair of the Parole Board. 5 (B)(i) The Governor shall appoint one (1) member as the 6 chair who shall be the chief executive, administrative, budgetary, and fiscal 7 officer of the board and the chair shall serve at the will of the Governor. 8 (ii) The chair shall have general supervisory duties 9 over the members and staff of the board but may not remove a member of the board except as provided under subsection (e) of this section. 10 11 (iii) The board may review and approve budget and 12 personnel requests prior to submission for executive and legislative 13 approval. 14 The board shall elect from its membership a vice chair (C)15 and a secretary who shall assume, in that order and with the consent of the 16 Governor, the duties of the chair in the case of extended absence, vacancy, 17 or other similar disability of the chair until the Governor designates a new 18 chair of the board. 19 (3) Each member shall serve a seven-year term, except that the 20 terms shall be staggered by the Governor so that the term of one (1) member 21 expires each year. 22 (4)(A) A member shall have at least a bachelor's degree from an 23 accredited college or university, and the member should have no less than 24 five (5) years' professional experience in one (1) or more of the following 25 fields: 26 (i) Parole supervision; 27 (ii) Probation supervision; 28 (iii) Corrections; 29 (iv) Criminal justice; 30 (v) Law; 31 (vi) Law enforcement; 32 (vii) Psychology; 33 (viii) Psychiatry; 34 (ix) Sociology; 35 (x) Social work; or 36 (xi) Other related field.

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1	(B) If the member does not have at least a bachelor's		
2	degree from an accredited college or university, he or she shall have no less		
3	than seven (7) years' experience in a field listed in subdivision (a)(4)(A)		
4	of this section.		
5	(5)(A) A member appointed after July 1, 2011, whether or not he		
6	or she has served on the board previously, shall complete a comprehensive		
7	training course developed in compliance with guidelines from the National		
8	Institute of Corrections, the Association of Paroling Authorities		
9	International, Inc., or the American Probation and Parole Association.		
10	(B) All members shall complete annual training developed		
11	in compliance with guidelines from the National Institute of Corrections, the		
12	Association of Paroling Authorities International, Inc., or the American		
13	Probation and Parole Association.		
14	(C) Training components under this subdivision (a)(5)		
15	shall include an emphasis on the following subjects:		
16	(i) Data-driven decision making;		
17	(ii)(a) Evidence-based practice.		
18	(b) As used in this section, "evidence-based		
19	practice" means practices proven through research to reduce recidivism;		
20	(iii) Stakeholder collaboration; and		
21	(iv) Recidivism reduction.		
22	(b) If any vacancy occurs on the board prior to the expiration of a		
23	term, the Governor shall fill the vacancy for the remainder of the unexpired		
24	term, subject to confirmation by the Senate at its next regular session.		
25	(c) The members of the board may receive expense reimbursement and		
26	stipends in accordance with § 25-16-901 et seq.		
27	(d)(l) Four (4) members of the board shall constitute a quorum for the		
28	purpose of holding an official meeting.		
29	(2) However, the affirmative vote of at least five (5) of the		
30	members of the board is required for any action by the board.		
31	(e)(1) A member of the board may be removed by the Governor after the		
32	Governor has received notification from the chair that the member:		
33	(A) Has been derelict in his or her duties as a member of		
34	the board; or		
35	(B) No longer meets the eligibility requirements to serve		
36	as a member of the board.		

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1	(2) The member of the board who has been reported to the
2	Governor under subdivision (e)(l) of this section shall receive written
3	notice of the notification by the chair to the Governor and the member of the
4	board shall be allowed an opportunity to respond within seven (7) days.
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6	SECTION 2. DO NOT CODIFY. <u>Contingent effectivness - Retroactiveness</u> .
7	Section 1 of this act is not effective unless SB472 of 2015 becomes an
8	act. If SB472 of 2015 becomes an act, Section 1 of this act is effective
9	retroactively to the effective date of the act which SB472 becomes.
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11	SECTION 3. EMERGENCY CLAUSE. It is found and determined by the
12	<u>General Assembly of the State of Arkansas that SB472 of 2015 contains a</u>
13	number of changes to the criminal justice system, including changes to the
14	Parole Board; that an error in the bill inadvertently deletes some of the
15	requirements for a member of the board; and that this act is immediately
16	necessary because it replaces the inadvertently deleted language. Therefore,
17	an emergency is declared to exist, and this act being immediately necessary
18	for the preservation of the public peace, health, and safety shall become
19	<u>effective on:</u>
20	(1) The date of its approval by the Governor;
21	(2) If the bill is neither approved nor vetoed by the Governor,
22	the expiration of the period of time during which the Governor may veto the
23	<u>bill; or</u>
24	(3) If the bill is vetoed by the Governor and the veto is
25	overridden, the date the last house overrides the veto.
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27	/s/J. Woods
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