

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4
5 By: Representative Petty
6 By: Senator J. Cooper
7

As Engrossed: H1/29/19

A Bill

HOUSE BILL 1233

For An Act To Be Entitled

9 AN ACT CONCERNING AT WHAT POINT A PROBATIONER'S
10 PROBATION BEGINS AND AT WHAT POINT IN THE SENTENCING
11 PROCESS THE SUPERVISION OF A PROBATIONER BY THE
12 DEPARTMENT OF COMMUNITY CORRECTION BEGINS; AND FOR
13 OTHER PURPOSES.

Subtitle

16 CONCERNING AT WHAT POINT A PROBATIONER'S
17 PROBATION BEGINS AND AT WHAT POINT IN THE
18 SENTENCING PROCESS THE SUPERVISION OF A
19 PROBATIONER BY THE DEPARTMENT OF
20 COMMUNITY CORRECTION BEGINS.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 5-4-307 is amended to read as follows:

27 5-4-307. Time period – Calculation.

28 (a) Except as provided in subsection (c) of this section, a period of
29 suspension or probation commences to run ~~on the day it is imposed~~ when the
30 circuit court pronounces the probationer's sentence in the courtroom or upon
31 the entry of a sentencing order, whichever occurs first.

32 (b)(1) Whether imposed at the same or a different time, multiple
33 periods of suspension or probation run concurrently.

34 (2) The period of a suspension or probation also runs
35 concurrently with any federal or state term of imprisonment or parole to
36 which a defendant is or becomes subject to during the period of the



1 suspension or probation.

2 (c) If a court sentences a defendant to a term of imprisonment and
3 suspends imposition of sentence as to an additional term of imprisonment, the
4 period of the suspension commences to run on the day the defendant is
5 lawfully set at liberty from the imprisonment.

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7 SECTION 2. Arkansas Code § 16-93-306(a), concerning the supervision of
8 a probationer by the Department of Community Correction, is amended to add a
9 new subdivision to read as follows:

10 (3) The Department of Community Correction shall assume
11 supervisory responsibilities over a probationer when the circuit court
12 pronounces the probationer's sentence in the courtroom or upon the entry of a
13 sentencing order, whichever occurs first.

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15 /s/Petty
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