

State of Arkansas

As Engrossed: S4/3/25

95th General Assembly

A Bill

Regular Session, 2025

SENATE BILL 488

By: Senator Irvin

By: Representative Dalby

For An Act To Be Entitled

AN ACT TO AMEND THE LAW ON JUVENILE DELINQUENCY; TO
AMEND DEFINITIONS UNDER THE ARKANSAS JUVENILE CODE OF
1989; TO AMEND THE LAW CONCERNING WHEN A JUVENILE IS
CONSIDERED TO BE ADJUDICATED DELINQUENT; AND FOR
OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING WHEN A
JUVENILE IS CONSIDERED TO BE ADJUDICATED
DELINQUENT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 9-27-303(15), concerning the definition of
"delinquent juvenile" under the Arkansas Juvenile Code of 1989, is amended to
read as follows:

(15) "Delinquent juvenile" means:

~~(A) A a juvenile who was ten (10) years of age old or~~
~~older at the time the juvenile who:~~

~~(i)(A) Has committed Committed an act, other than a~~
~~traffic offense or game and fish violation, that, if the act had been~~
~~committed by an adult, would subject the adult to prosecution for a felony,~~
~~misdemeanor, or violation under the applicable criminal laws of this state;~~

~~(ii)(B) Has violated Violated § 5-73-119; or,~~
~~(iii) Has violated § 5-71-217(d)(2), cyberbullying of~~
~~a school employee or another criminal law or status offense that can only be~~
~~committed by a juvenile under the laws of this state; or~~



~~(B)(C) Any juvenile charged with capital murder, § 5-10-101, or murder in the first degree, § 5-10-102, subject Committed an offense which later results in to an extended juvenile jurisdiction designation;~~

SECTION 2. Arkansas Code § 9-27-303(33), concerning the definition of "juvenile" under the Arkansas Juvenile Code of 1989, is amended to read as follows:

(33) "Juvenile" means an individual who ~~is~~:

(A) ~~From~~ Is from birth to eighteen (18) years of age, whether married or single; or

(B) Was under eighteen (18) years of age at the time a delinquent offense occurred but has since reached the age of majority; or

(C) ~~Adjudicated~~ Was adjudicated delinquent, a juvenile member of a family in need of services, or dependent or dependent-neglected by the juvenile division of circuit court prior to eighteen (18) years of age and for whom the juvenile division of circuit court retains jurisdiction;

SECTION 3. Arkansas Code § 9-28-206 is amended to read as follows:

9-28-206. Disposition of delinquent juvenile.

(a) When a ~~circuit court or any other court having jurisdiction of a juvenile under eighteen (18) years of age~~ finds a delinquent juvenile committed a to-be delinquent act while under eighteen (18) years of age as defined by the laws of this state, the court may commit the juvenile to the Division of Youth Services ~~for an indeterminate period not to exceed the twenty-first birthday of the juvenile.~~

(b) No court may commit a juvenile found solely in criminal contempt to the ~~division~~ Division of Youth Services.

SECTION 4. Arkansas Code § 9-28-208(a)(1), concerning what shall be included in an order of commitment to the Division of Youth Services, is amended to read as follows:

(a)(1) An order of commitment to the Division of Youth Services shall state that the juvenile is found to be adjudicated a delinquent juvenile and shall state information regarding the underlying facts of the adjudication.

/s/Irvin