

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4
5 By: Senator D. Sanders
6

As Engrossed: S2/12/13
A Bill

SENATE BILL 257

For An Act To Be Entitled

8 AN ACT 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.

Subtitle

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16 TO REVISE THE PAROLE STATUTES; TO REQUIRE
17 THAT A PERSON ON PAROLE WHO VIOLATES HIS
18 OR HER PAROLE DUE TO COMMITTING A
19 PARTICULAR SUBSEQUENT FELONY OFFENSE
20 SERVE THE REMAINDER OF HIS OR HER
21 ORIGINAL SENTENCE.

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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 § 16-93-615(b)(1), regarding certain
27 discretionary transfers of inmates to the Department of Community Correction
28 by the Parole Board, is amended to read as follows:

29 (b)(1) An inmate under sentence for one (1) of the following felonies
30 ~~shall be~~ is eligible for discretionary transfer to the Department of
31 Community Correction by the Parole Board after having served one-third (1/3)
32 or one-half (½) of his or her sentence, with credit for meritorious good
33 time, depending on the seriousness determination made by the Arkansas
34 Sentencing Commission, or one-half (½) of the time to which his or her
35 sentence is commuted by executive clemency, with credit for meritorious good
36 time:



- 1 ~~(A) Any homicide, §§ 5-10-101—5-10-105, unless the~~
 2 ~~offense is listed under § 16-93-612(e)(1);~~
 3 ~~(B) Sexual assault in the first degree, § 5-14-124;~~
 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);~~
 10 ~~(ii) Rape, § 5-14-103, unless the offense is listed~~
 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~~
 14 ~~(iv) Causing a catastrophe, § 5-38-202(a), unless~~
 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 ~~106.~~

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),
 31 the following Class Y felonies:

- 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);

