

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

HOUSE BILL 1276

By: Representative Underwood

By: Senator Hester

For An Act To Be Entitled

AN ACT CONCERNING VOLUNTARY PRESUMPTIVE SENTENCING
STANDARDS OF A PERSON'S CRIMINAL HISTORY SCORE; AND
FOR OTHER PURPOSES.

Subtitle

CONCERNING VOLUNTARY PRESUMPTIVE
SENTENCING STANDARDS OF A PERSON'S
CRIMINAL HISTORY SCORE.

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

SECTION 1. Arkansas Code § 16-90-803(b)(2)(A) and (B), concerning voluntary presumptive standards of a criminal history score used during sentencing, are amended to read as follows:

(A) The offender's criminal history score shall be computed from the following:

(i) Prior felony records;
(ii) Prior misdemeanor records;
(iii) Prior juvenile records, under certain circumstances ~~outlined below~~ set out in subdivision (b)(2)(C) of this section; and

(iv) Custody status at the time of the offense.

(B) The term "records", for the purpose of computing criminal history scores, shall include all of the following that are entered up to the date of sentencing for the offense:

(i) Convictions;



- (ii) Findings of guilt;
- (iii) Acceptance of pleas of guilty or nolo contendere;
- (iv) Instances ~~where~~ in which the defendant has been placed on probation, suspended imposition of sentence, or suspended execution of sentence;
- (v) Records ~~which~~ that have been expunged after August 31, 1994; and
- (vi) Dismissals ordered after August 31, 1994, pursuant to the First Offender Act, § 16-93-301 et seq.

APPROVED: 3/23/21