

Stricken language would be deleted from and underlined language would be added to present law.
Act 755 of the Regular Session

State of Arkansas
95th General Assembly
Regular Session, 2025

As Engrossed: S4/3/25

A Bill

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.

APPROVED: 4/17/25