

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
95th General Assembly

A Bill

DRAFT CEB/CEB
SENATE BILL

By: Senator C. Tucker

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING EARNED DISCHARGE
AND COMPLETION OF SENTENCE FOR PAROLE, POST-RELEASE
SUPERVISION, AND PROBATION; TO PROVIDE ADDITIONAL
OPPORTUNITIES FOR A PERSON ON COMMUNITY SUPERVISION
TO EARN CREDIT FOR EARLY DISCHARGE OF A SENTENCE; TO
REQUIRE THE DIVISION OF COMMUNITY CORRECTION TO
PUBLISH CRITERIA FOR EARNING CREDITS; AND FOR OTHER
PURPOSES.

Subtitle

TO PROVIDE ADDITIONAL OPPORTUNITIES FOR
A PERSON ON COMMUNITY SUPERVISION TO
EARN CREDIT FOR EARLY DISCHARGE OF A
SENTENCE; AND TO REQUIRE THE DIVISION OF
COMMUNITY CORRECTION TO PUBLISH CRITERIA
FOR EARNING CREDITS.

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

SECTION 1. Arkansas Code § 16-90-1303 is amended to read as follows:
16-90-1303. Procedure.

(a) If a person is incarcerated for an eligible felony, whether by an
immediate commitment or after his or her probation is revoked, and after he
or she is moved to community supervision through parole or transfer by the
Post-Prison Transfer Board, or if he or she is placed on probation, he or she
is immediately eligible to begin earning daily credits that shall count

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1 toward reducing the number of days he or she is otherwise required to serve
2 until he or she has completed the sentence.

3 (b)(1) Credits equal to thirty (30) days per month for every month
4 that the ~~offender~~ person complies with court-ordered conditions and ~~a set of~~
5 ~~predetermined~~ criteria for earning credits established by the Division of
6 Community Correction ~~in consultation with judges, prosecuting attorneys, and~~
7 ~~defense counsel~~ shall accrue while the person is on community supervision,
8 including without limitation parole, post-release supervision, or probation.

9 (2) A person on community supervision may earn additional
10 credits at a rate established by the division for work, educational, and
11 conduct achievements defined by the division.

12 (3) The division shall establish and publish to the division's
13 website:

14 (A) Criteria for earning credits; and

15 (B) The rate at which additional credits may be earned for
16 work, educational, and conduct achievements under subdivision (b)(2) of this
17 section.

18 (c)(1) The division shall calculate the number of days the person has
19 remaining to serve on parole, post-release supervision, or probation before
20 that person completes his or her sentence.

21 ~~(3)(2)~~ The number of days shall be recalculated on a monthly
22 basis to reflect the application of any credits earned under this subchapter.

23 (3) The division shall notify the person monthly of the
24 recalculated number of days he or she has remaining on parole, post-release
25 supervision, or probation before that person completes his or her sentence.

26 ~~(e)(1)(A)(d)(1)(A)~~ The division shall have sole discretion to forfeit
27 any credits a person earns under this subchapter unless otherwise provided
28 for in this section.

29 (B) The award or forfeiture of any credits earned under
30 this subchapter is not subject to appeal or judicial review.

31 (2) A If a person is convicted of another felony offense while
32 on parole, post-release supervision, or probation, the conviction may result
33 in the forfeiture of any credits earned under this subchapter.