

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Senator Harriman**

A Bill

SENATE BILL

For An Act To Be Entitled

8 "AN ACT TO REPEAL ARKANSAS CODE ANNOTATED §16-93-401 IN
9 ORDER TO CLARIFY PROCEDURES FOR PROBATION AND SUSPENDED
10 SENTENCES; AND FOR OTHER PURPOSES."

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

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14 SECTION 1. Arkansas Code Annotated §16-93-401 is repealed.

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16 SECTION 2. All provisions of this act of a general and permanent nature
17 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
18 Revision Commission shall incorporate the same in the Code.

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20 SECTION 3. If any provision of this act or the application thereof to
21 any person or circumstance is held invalid, such invalidity shall not affect
22 other provisions or applications of the act which can be given effect without
23 the invalid provision or application, and to this end the provisions of this
24 act are declared to be severable.

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26 SECTION 4. All laws and parts of laws in conflict with this act are
27 hereby repealed.

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29 SECTION 5. It is hereby found and determined by the General Assembly
30 that Arkansas Code Annotated §16-93-401 is in conflict with statutes contained
31 in the Arkansas Criminal Code and is also unnecessarily duplicative of such
32 statutes; that as a result of Arkansas Code Annotated §16-93-401 being in
33 effect great confusion exists as to the applicability of provisions governing
34 the disposition of offenders; that such confusion has hampered courts in
35 providing for the effective and proper disposition of offenders; that Arkansas

1 Code Annotated §16-93-401 must be repealed in its entirety to eliminate such
2 confusion; that unless this act is given immediate effect the criminal justice
3 system will not be able to function effectively regarding the disposition of
4 offenders. Therefore, an emergency is hereby declared to exist and this act
5 being immediately necessary for the preservation of public peace, health and
6 safety shall be in full force and effect from and after its passage and
7 approval.

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