

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009

A Bill

HOUSE BILL 2092

4
5 By: Representative Carter
6
7

For An Act To Be Entitled

8
9 AN ACT CONCERNING A SENTENCE STEMMING FROM A
10 VIOLATION OF PROBATION; AND FOR OTHER PURPOSES.
11

Subtitle

12
13 CONCERNING A SENTENCE STEMMING FROM A
14 VIOLATION OF PROBATION.
15
16

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
18

19 SECTION 1. Arkansas Code § 5-4-309(f), concerning a violation of
20 felony probation, is amended to read as follows:

21 (f)(1)(A) If a court revokes a suspension or probation, the court may
22 enter a judgment of conviction and may impose any sentence on the defendant
23 that might have been imposed originally for the offense of which he or she
24 was found guilty.

25 (B) However, any sentence to pay a fine or of
26 imprisonment, when combined with any previous fine or imprisonment imposed
27 for the same offense, shall not exceed the limits of § 5-4-201 or § 5-4-401,
28 or if applicable, § 5-4-501.

29 (2)(A) As used in this subsection, "any sentence" includes the
30 extension of a period of suspension or probation.

31 (B) If an extension of suspension or probation is made
32 upon revocation, the court is not deprived of the ability to revoke the
33 suspension or probation again should the defendant's conduct warrant
34 revocation again.

35 (C) Any sentence extending a period of suspension or
36 probation, when combined with any previous period of suspension or probation,



1 shall not exceed the limits of § 5-4-401 or if applicable, § 5-4-501.

- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35
- 36