

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

State of Arkansas  
89th General Assembly  
Regular Session, 2013

# A Bill

SENATE BILL 260

By: Senator D. Sanders

## For An Act To Be Entitled

AN ACT CONCERNING THE DEFINITION OF RECIDIVISM FOR CERTAIN LAW ENFORCEMENT AGENCIES AND OTHER STATE AGENCIES TASKED WITH INCARCERATING OR MONITORING INMATES, PAROLEES, OR PROBATIONERS; TO REQUIRE A REPORT; AND FOR OTHER PURPOSES.

## Subtitle

CONCERNING THE DEFINITION OF RECIDIVISM FOR CERTAIN LAW ENFORCEMENT AGENCIES AND OTHER STATE AGENCIES TASKED WITH INCARCERATING OR MONITORING INMATES, PAROLEES, OR PROBATIONERS; AND TO REQUIRE A REPORT.

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

SECTION 1. Arkansas Code § 5-4-101 is amended to add a new definition to read as follows:

(6) "Recidivism" means a criminal act that results in the rearrest, reconviction, or return to incarceration of a person with or without a new sentence during a three-year period following the person's release from custody.

SECTION 2. Arkansas Code Title 12 is amended to add a chapter to read as follows:

### Chapter 1

### General Provisions



12-1-101. Recidivism reporting.

(a) As used in this section, "recidivism" means a criminal act that results in the rearrest, reconviction, or return to incarceration of a person with or without a new sentence during a three-year period following the person's release from custody.

(b) An entity that makes a recidivism report under this title shall use the definition of recidivism in this section for purposes of the recidivism report.

SECTION 3. Arkansas Code Title 16, Chapter 1, is amended to add a section to read as follows:

16-1-101. Recidivism definition and reporting.

(a) As used in this title, "recidivism" means a criminal act that results in the rearrest, reconviction, or return to incarceration of a person with or without a new sentence during a three-year period following the person's release from custody.

(b) An entity that makes a recidivism report under this title shall use the definition of recidivism in this section for purposes of the recidivism report.

SECTION 4. DO NOT CODIFY. Temporary legislation.

(a) The Department of Community Correction shall prepare a report on the number of persons under its supervision for the last five (5) years who would be considered recidivists under the definition provided in this act.

(b) The report shall be completed by October 1, 2013, and copies shall be sent to the Governor and Legislative Council.