

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

State of Arkansas  
91st General Assembly  
Regular Session, 2017

# A Bill

HOUSE BILL 1747

By: Representative D. Whitaker

## For An Act To Be Entitled

AN ACT CONCERNING PAROLE ELIGIBILITY OF A PERSON  
INCARCERATED IN THE DEPARTMENT OF CORRECTION; AND FOR  
OTHER PURPOSES.

## Subtitle

CONCERNING PAROLE ELIGIBILITY OF A PERSON  
INCARCERATED IN THE DEPARTMENT OF  
CORRECTION.

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

SECTION 1. DO NOT CODIFY. Temporary language.

(a) Upon petition to the sentencing court by a person convicted of an offense under the Uniform Controlled Substances Act before the effective date of Acts 2011, No. 570, all punishments imposed upon the petitioner that exceed the maximum sentence permitted under the provisions of Acts 2011, No. 570, shall be reduced by the sentencing court to the maximum punishment permitted under Acts 2011, No. 570, for the type and amount of controlled substance involved in the petitioner's conviction.

(b) A petitioner who files a petition under this act bears the burden of establishing by a preponderance of the evidence the kind and amount of controlled substance involved in his or her conviction.

(c) Notwithstanding the provisions of any statute, rule, or judicial convention to the contrary, a court has the authority and jurisdiction to act upon and implement this act.

