

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

SENATE BILL 177

By: Senator B. King

For An Act To Be Entitled

AN ACT REQUIRING A PERSON WHO HAS THREE OR MORE PREVIOUS COMMITMENTS TO THE DEPARTMENT OF CORRECTION TO SERVE AT LEAST EIGHTY PERCENT OF HIS OR HER SENTENCE FOR HIS OR HER NEXT COMMITMENT TO THE DEPARTMENT OF CORRECTION BEFORE BEING ELIGIBLE FOR PAROLE; AND FOR OTHER PURPOSES.

Subtitle

REQUIRING A PERSON WHO HAS THREE OR MORE PREVIOUS COMMITMENTS TO THE DEPARTMENT OF CORRECTION TO SERVE AT LEAST EIGHTY PERCENT OF HIS OR HER SENTENCE FOR HIS OR HER NEXT COMMITMENT TO THE DEPARTMENT BEFORE BEING ELIGIBLE FOR PAROLE.

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

SECTION 1. Arkansas Code § 16-93-612, concerning the date of an offense as it pertains to a person's parole eligibility date, is amended to add an additional subsection to read as follows:

(g) For an offender serving a sentence for a felony committed on or after the effective date of this act, if the offender has been previously committed to the Department of Correction for a period of incarceration on at least three (3) separate occasions and resulting from at least three (3) separate sentences, § 16-93-621 governs that person's parole eligibility procedures.



SECTION 2. Arkansas Code Title 16, Chapter 93, Subchapter 6, is amended to add an additional section to read as follows:

16-93-621. Parole eligibility – Offenses committed after the effective date of this act – Eighty percent of sentence if three prior commitments to the Department of Correction.

(a) Except for a person sentenced to death, life imprisonment without the possibility of parole, or life imprisonment, and except as provided under subsection (b) of this section, a person who is sentenced for a felony that results in a commitment to the Department of Correction after the effective date of this act shall serve at least eighty percent (80%) of his or her sentence before being eligible for parole if the person has been committed to the department for a period of incarceration:

(1) On at least three (3) separate occasions; and

(2) Resulting from at least three (3) separate sentences.

(b) A person whose parole eligibility is otherwise subject to subsection (a) of this section is eligible for parole under this section if the person:

(1) Attains seventy (70) years of age; and

(2) Has served at least forty percent (40%) of the sentence imposed.

(c) A person's parole eligibility under this section supersedes any other parole eligibility statute under this subchapter that sets out different parole eligibility requirements for a specific offense that was in existence on the effective date of this act.