

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

State of Arkansas  
92nd General Assembly  
Regular Session, 2019

# A Bill

SENATE BILL 608

By: Senators Irvin, G. Leding

## For An Act To Be Entitled

AN ACT TO AMEND THE FAIR SENTENCING FOR MINORS ACT OF  
2017; AND FOR OTHER PURPOSES.

### Subtitle

TO AMEND THE FAIR SENTENCING FOR MINORS  
ACT OF 2017.

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

SECTION 1. DO NOT CODIFY. Legislative intent.

(a) In recognizing the fact that minors are different from adults, more amenable to positive change and rehabilitation, and less culpable than adults who commit the same crimes, the General Assembly passed the Fair Sentencing of Minors Act of 2017 eliminating life without parole and other extreme sentences for minors convicted of serious crimes.

(b) It is the intent of the General Assembly to clarify the purpose of the Fair Sentencing of Minors Act of 2017 and ensure that minors previously convicted of nonhomicide crimes also receive retroactive parole-eligibility after serving no more than twenty (20) years of incarceration.

SECTION 2. Arkansas Code § 16-93-621(a)(1), concerning the sentencing of a minor for an offense committed before he or she was eighteen (18) years of age and in which the death of another person did not occur, is amended to read as follows:

(a)(1) A minor who was convicted and sentenced to the Department of Correction for an offense committed before he or she was eighteen (18) years of age and in which the death of another person did not occur, and that was



committed before, on, or after the effective date of this act, is eligible for release on parole no later than after twenty (20) years of incarceration, including any applicable sentencing enhancements, and including an instance in which multiple sentences are to be served consecutively or concurrently, unless by law the minor is eligible for earlier parole eligibility.

SECTION 3. DO NOT CODIFY. Retroactivity.

This act shall be applied retroactively to all persons currently serving a period of incarceration in the Department of Correction for an offense that was committed before the person was eighteen (18) years of age, regardless of the original sentences that were imposed.