

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

State of Arkansas  
94th General Assembly  
Regular Session, 2023

# A Bill

HOUSE BILL 1709

By: Representative Scott

## For An Act To Be Entitled

AN ACT TO CREATE THE CORRECTIONAL POSTNATAL AND EARLY CHILDHOOD ADVISORY BOARD; TO STUDY AND RESEARCH ISSUES RELATED TO INFANTS AND INCARCERATED MOTHERS; AND FOR OTHER PURPOSES.

### Subtitle

TO CREATE THE CORRECTIONAL POSTNATAL AND EARLY CHILDHOOD ADVISORY BOARD; AND TO STUDY AND RESEARCH ISSUES RELATED TO INFANTS AND INCARCERATED MOTHERS.

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

SECTION 1. DO NOT CODIFY. Correctional Postnatal and Early Childhood Advisory Board – Creation – Powers and duties.

(a) As used in this section:

(1) "Correctional facility" means:

(A) A local or state correctional facility or detention facility that has the power to detain or restrain a person under the laws of the state, including a city jail, county jail, facility operated by the Division of Correction or the Division of Community Correction, or juvenile detention center; or

(B) A post-incarceration residential reentry facility designed to house a person on parole; and

(2) "Incarcerated mother" means an inmate or detainee who is pregnant, gives birth, or is in postpartum recovery while incarcerated or detained.



(b) There is created the Correctional Postnatal and Early Childhood Advisory Board within the Department of Corrections.

(c) The Correctional Postnatal and Early Childhood Advisory Board shall consist of the following members:

(1) One (1) individual appointed by the Parole Board; and

(2) Eight (8) individuals appointed by the Secretary of the Department of Corrections as follows:

(A) Four (4) individuals from the department with two (2) of the four (4) individuals having experience in child care licensing;

(B) Two (2) pediatric healthcare providers;

(C) One (1) individual with expertise in early childhood development; and

(D) One (1) individual with experience advocating for women who are inmates or detainees.

(d) The Correctional Postnatal and Early Childhood Advisory Board shall elect a chair and cochair of the Correctional Postnatal and Early Childhood Advisory Board from among the members of the Correctional Postnatal and Early Childhood Advisory Board.

(e)(1) The chair shall call a meeting of the Correctional Postnatal and Early Childhood Advisory Board at least one (1) time each month.

(2) The secretary shall call the first meeting of the Correctional Postnatal and Early Childhood Advisory Board within thirty (30) days of the effective date of this act.

(f) A majority of the Correctional Postnatal and Early Childhood Advisory Board constitutes a quorum and a vote of the majority of the members present constitutes an action of the Correctional Postnatal and Early Childhood Advisory Board.

(g) A member of the Correctional Postnatal and Early Childhood Advisory Board may receive expense reimbursement under § 25-16-902.

(h) The Correctional Postnatal and Early Childhood Advisory Board shall:

(1) Review research regarding childhood development and best practices for infants of incarcerated mothers placed in a nursery located within a secure correctional environment in a correctional facility;

(2) Study the benefits of having a nursery for infants and incarcerated mothers located within a secure correctional environment and the

benefits of placing an infant or incarcerated mothers in a diversion program removed from a secure correctional environment in a correction facility;

(3) Study the costs of implementing a diversion program for infants and incarcerated mothers removed from a secure correctional environment in a correctional facility;

(4) Create a provisional plan for implementing a diversion program for infants and incarcerated mothers removed from a secure correctional environment in a correctional facility; and

(5) Advise and make recommendations to the department regarding rules and policies for any nursery established by the department to provide space for incarcerated mothers and infants in a correctional facility.

(i)(1) On or before November 30, 2024, the Correctional Postnatal and Early Childhood Advisory Board shall submit a report, including any proposed legislation, to the:

(A) Governor;

(B) Speaker of the House of Representatives;

(C) President Pro Tempore of the Senate;

(D) House Committee on Judiciary; and

(E) Senate Committee on Judiciary.

(2) The report shall include recommendations relating to certification of a nursery established in a secure correctional environment in a correctional facility that address:

(A) The safety of the nursery for infants and incarcerated mothers;

(B) The childhood developmental needs of the infants in the nursery;

(C) The specific medical needs of the infants and incarcerated mothers in the nursery;

(D) The appropriate needs of the incarcerated mothers in the nursery; and

(E) Any other requirements recommended by the Correctional Postnatal and Early Childhood Advisory Board that the department deems necessary for the nursery.

(j) This section and the Correctional Postnatal and Early Childhood Advisory Board expire on December 31, 2024.