

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

State of Arkansas
95th General Assembly
Regular Session, 2025

As Engrossed: H4/2/25

A Bill

HOUSE BILL 1077

By: Representatives Hudson, Painter, Ennett, Richmond, Nazarenko, Tosh

By: Senator C. Tucker

For An Act To Be Entitled

AN ACT CONCERNING THE INCARCERATION OF A VETERAN OF THE UNITED STATES ARMED FORCES; TO PROVIDE FOR NOTIFICATION TO THE ARKANSAS DEPARTMENT OF VETERANS AFFAIRS OF THE INCARCERATION OF A VETERAN; AND FOR OTHER PURPOSES.

Subtitle

CONCERNING THE INCARCERATION OF A VETERAN OF THE UNITED STATES ARMED FORCES; AND TO PROVIDE FOR NOTIFICATION TO THE ARKANSAS DEPARTMENT OF VETERANS AFFAIRS OF THE INCARCERATION OF A VETERAN.

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

SECTION 1. Arkansas Code Title 12, Chapter 29, Subchapter 1 is amended to add an additional section to read as follows:

12-29-121. Required survey and notification for incarceration of veteran.

(a)(1) Within fourteen (14) days of the initial incarceration of a person, the administrator of the correctional facility with custody of the person, the designee of the administrator of the correctional facility with custody of the person, or the county veteran service officer of the county in which the person is in custody shall verify the veteran status of the person by using data made available from the Veterans Reentry Search Service operated by the United States Department of Veterans Affairs or a similar



service.

(2) If the administrator of the correctional facility with custody of the person designates the county veteran service officer to verify the veteran status of the person under subdivision (a)(1) of this section, the administrator shall provide the information necessary for the county veteran service officer to conduct the verification.

(b) The administrator of a correctional facility with custody of a person identified as a veteran, the designee of the administrator of the correctional facility with custody of the person identified as a veteran, or the county veteran service officer of the county in which the person identified as a veteran is in custody shall by mail, email, or fax send written notice of the person's incarceration to the Department of Veterans Affairs within forty-five (45) days of the person's initial incarceration if:

(1) The person is still in custody; and

(2) The person's sentence of incarceration is six (6) months or more or the administrator of the correctional facility or his or her designee reasonably believes that the person will remain in custody for six (6) months or more.

(c) Upon the release from custody of a person identified as a veteran who has been incarcerated for at least six (6) months, the administrator of the correctional facility from which the person was released, the designee of the administrator of the correctional facility from which the person was released, or the county veteran service officer of the county in which the person was in custody shall by mail, email, or fax send written notice of the person's release from custody to the Department of Veterans Affairs.

(d) The administrator of a correctional facility shall provide reasonable access to the United States Department of Veterans Affairs and the Department of Veterans Affairs to assist an inmate who is a veteran in applying for:

(1) Federal or state benefits, compensation, or treatment for which the inmate may be eligible; or

(2) Treatment through a veterans treatment specialty court program under § 16-101-101 et seq. or another specialty court program authorized by the Supreme Court under § 16-10-139.

(e) The administrator of a correctional facility shall make available upon request the results of his or her verification under subdivision (a)(1)

of this section to a prosecuting attorney, a managing public defender, a coordinator of a specialty court program authorized by the Supreme Court under § 16-10-139, or the Administrative Office of the Courts.

SECTION 2. Arkansas Code Title 12, Chapter 41, Subchapter 1 is amended to add an additional section to read as follows:

12-41-111. Required survey and notification for incarceration of veteran.

(a)(1) Within fourteen (14) days of the initial incarceration of a person, the administrator of the local correctional facility with custody of the person, the designee of the administrator of the local correctional facility with custody of the person, or the county veteran service officer of the county in which the person is in custody shall verify the veteran status of the person by using data made available from the Veterans Reentry Search Service operated by the United States Department of Veterans Affairs or a similar service.

(2) If the administrator of the local correctional facility with custody of the person designates the county veteran service officer to verify the veteran status of the person under subdivision (a)(1) of this section, the administrator shall provide the information necessary for the county veteran service officer to conduct the verification.

(b) The administrator of a local correctional facility with custody of a person identified as a veteran, the designee of the administrator of the local correctional facility with custody of the person identified as a veteran, or the county veteran service officer of the county in which the person identified as a veteran is in custody shall by mail, email, or fax send written notice of the person's incarceration to the Department of Veterans Affairs within forty-five (45) days of the person's initial incarceration if:

(1) The person is still in custody; and

(2) The person's sentence of incarceration is six (6) months or more or the administrator of the local correctional facility or his or her designee reasonably believes that the person will remain in custody for six (6) months or more.

(c) Upon the release from custody of a person identified as a veteran who has been incarcerated for at least six (6) months, the administrator of

the local correctional facility from which the person was released, the designee of the administrator of the local correctional facility from which the person was released, or the county veteran service officer of the county in which the person was in custody shall by mail, email, or fax send written notice of the person's release from custody to the Department of Veterans Affairs.

(d) The administrator of a local correctional facility shall provide reasonable access to the United States Department of Veterans Affairs and the Department of Veterans Affairs to assist an inmate who is a veteran in applying for:

(1) Federal or state benefits, compensation, or treatment for which the inmate may be eligible; or

(2) Treatment through a veterans treatment specialty court program under § 16-101-101 et seq. or other specialty court program authorized by the Supreme Court under § 16-10-139.

(e) The administrator of a local correctional facility shall make available upon request the results of his or her verification under subdivision (a)(1) of this section to a prosecuting attorney, a managing public defender, a coordinator of a specialty court program authorized by the Supreme Court under § 16-10-139, or the Administrative Office of the Courts.

/s/Hudson