

State of Arkansas
95th General Assembly
Regular Session, 2025

A Bill

HOUSE BILL 1871

By: Representative Gazaway

By: Senator Gilmore

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE REVOCATION OF A PERIOD OF PROBATION OR A PERIOD OF SUSPENSION OF SENTENCE; TO REQUIRE A PERIOD OF INCARCERATION FOR DEFENDANTS WHO REPEATEDLY VIOLATE THE TERMS OF THEIR PROBATION OR SUSPENDED SENTENCE; AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE A PERIOD OF INCARCERATION FOR DEFENDANTS WHO REPEATEDLY VIOLATE THE TERMS OF THEIR PROBATION OR SUSPENDED SENTENCE.

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

SECTION 1. Arkansas Code § 16-93-309(d), concerning sentence alternatives upon the revocation of probation or a suspended sentence, is amended to read as follows:

~~(d)(1)~~ Following Except as provided in subdivision (d)(2) of this section, following a revocation hearing in which a defendant is ordered to continue on a period of suspension of sentence or a period of probation, upon finding the defendant guilty at a subsequent revocation hearing, the court may:

~~(1)(A)~~ Revoke the suspension of sentence or period of probation; and

~~(2)(B)~~ Sentence the defendant to incarceration in the Division of Correction.



(2) If a defendant has had his or her probation or suspended sentence revoked at least three (3) times under this section, upon finding the defendant guilty at a subsequent revocation hearing, the court shall sentence the defendant to incarceration in the Division of Correction for a period of confinement that is at least equal to the term of imprisonment provided for the offense for which the defendant was on probation or serving a suspended sentence.