

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: S4/1/25

A Bill

SENATE BILL 537

By: Senators Gilmore, C. Tucker

By: Representative M. Brown

For An Act To Be Entitled

AN ACT TO CREATE THE EARNING SAFE REENTRY THROUGH WORK ACT; TO CREATE A SENTENCE CREDIT PROGRAM FOR A PERSON ON PROBATION, PAROLE, OR POST-RELEASE SUPERVISION TO EARN TIME CREDITS THROUGH EMPLOYMENT; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

TO CREATE THE EARNING SAFE REENTRY THROUGH WORK ACT; AND TO CREATE A SENTENCE CREDIT PROGRAM FOR A PERSON ON PROBATION, PAROLE, OR POST-RELEASE SUPERVISION TO EARN TIME CREDITS THROUGH EMPLOYMENT; AND TO DECLARE AN EMERGENCY.

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

SECTION 1. DO NOT CODIFY. Title.

This act shall be known and may be cited as the "Earning Safe Reentry Through Work Act".

SECTION 2. Arkansas Code Title 16, Chapter 93, Subchapter 1, is amended to add an additional section to read as follows:

16-93-112. Earning Safe Reentry Through Work Act.

(a) As used in this section:

(1) "Eligible employment" means any occupation or combination of occupations for which a supervised offender can provide documentation of verifiable wage-earning hours in the amount of at least one hundred and



thirty (130) hours per thirty-day period;

(2) "Supervised offender" means an individual on probation, parole, or post-release supervision under the supervision of the Division of Community Correction;

(3) "Supporting documentation" means an employment record, pay stub, employment letter, contract, or other similarly reliable method of employment verification, as determined by the Division of Community Correction;

(4) "Work-for-time credit" means a credit that is equal to a one (1) day reduction in a supervised offender's sentence that can be accrued for maintaining eligible employment; and

(5) "Working days" means a business day that does not include Saturday, Sunday, or a state or federal holiday.

(b) For offenses committed on or after the effective date of this section, each supervised offender who maintains eligible employment shall accrue work-for-time credits under the following conditions:

(1) The supervised offender shall provide supporting documentation of eligible employment to the community supervision officer responsible for the supervised offender's supervision at each meeting with his or her community supervision officer;

(2)(A) The community supervision officer shall verify the supervised offender's eligible employment through the supervised offender's supporting documentation and any other means that the division determines necessary.

(B) The community supervision officer shall enter the supporting documentation into and record the supervised offender's accrual of all work-for-time credits in the supervised offender's file within five (5) working days of verifying the supervised offender's eligible employment;

(3) A supervised offender, including a person who is being supervised in another state, shall accrue five (5) work-for-time credits for every thirty-day-period in which the offender maintains eligible employment, except for the sixty-day-period immediately prior to the supervised offender's adjusted sentence end date during which no work-for-time credits shall accrue;

(4) If the supervised offender's probation, parole, or post-release supervision is revoked or if the supervised offender is convicted of

a new criminal offense or if the supervised offender provides fraudulent employment documents, the supervised offender forfeits all previously accrued work-for-time credits; and

(5)(A) A supervised offender shall not receive a work-for-time credit if the offender's supporting documentation is unverifiable, inaccurate, or absent from his or her file.

(B) If a request for a work-for-time credit is denied, the community supervision officer shall record the reason for the denial of the work-for-time credit in the supervised offender's file.

(c) There is no right to appeal the denial or forfeiture of work-for-time credits under this section.

(d) The community supervision officer responsible for supervising a supervised offender who accrues work-for-time credits shall notify the sentencing court of the supervised offender's accrual of work-for-time credits no less than sixty (60) days in advance of the supervised offender's adjusted sentence end date, which includes the accrual of work-for-time credits up to the date of the notification.

SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that recidivism threatens the safety of the state; that incentivizing a person on probation, parole, and post-release supervision will reduce the risk of recidivism; and that this act is immediately necessary to reduce the risk of recidivism and provide for the efficient and effective allocation of supervision services. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

/s/Gilmore