

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

State of Arkansas
95th General Assembly
Regular Session, 2025

A Bill

SENATE BILL 641

By: Senator D. Wallace

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING WORK-RELEASE PROGRAMS; TO ALLOW A SHERIFF TO ELECT TO HOUSE WORK-RELEASE PROGRAM PARTICIPANTS; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING WORK-RELEASE PROGRAMS; AND TO ALLOW A SHERIFF TO ELECT TO HOUSE WORK-RELEASE PROGRAM PARTICIPANTS.

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

SECTION 1. Arkansas Code Title 12, Chapter 30, Subchapter 1, is amended to add an additional section to read as follows:

12-30-408. Election by sheriff to house work-release program participant.

(a) The General Assembly intends:

(1) This section to expedite the access of inmates to evidence-based programing;

(2) This section to operate separately from the housing of work-release program participants under § 12-30-407; and

(3) For the Department of Corrections to offer to a county sheriff the ability to house a work-release program participant in accordance with this section or § 12-30-407.

(b)(1)(A) Notwithstanding the duty of a county sheriff to deliver an inmate to the Department of Corrections, a county sheriff may elect to house an inmate committed to the Department of Corrections at the county jail until



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twelve (12) months prior to the inmate's earliest potential release date.

(B) An inmate that has been convicted of a felony ineligible to receive earned release credits as defined in § 16-93-1802 is not eligible for election for housing under this section.

(2) If a county sheriff elects to house an eligible inmate at the county jail, the county sheriff shall:

(A)(i) Receive the inmate's consent in writing and send the written consent and notice of the election with the sentencing order to the Department of Corrections.

(ii) If the Department of Corrections determines that an inmate selected for election is ineligible for housing in a county jail under this section, the Department of Corrections shall notify the county sheriff that provided the election of the inmate's ineligibility within ten (10) days of receiving notice of the election;

(B) Give notification that the inmate is to be housed at the county jail to the prosecuting attorney that prosecuted the inmate and to the victim or the victim's family;

(C) Conduct a validated risk-needs assessment as defined in §16-93-101 and report the results to the Department of Corrections;

(D) Provide the inmate with opportunities to utilize digital programming from a catalog provided by the Department of Corrections or other evidence-based programming tailored to the inmate's criminogenic needs; and

(E)(i) Provide the inmate with medical, dental, and mental health care as required by the Criminal Detention Facility Standards.

(ii) The Department of Corrections shall reimburse the county for medical expenses in accordance with § 12-27-114 or the inmate shall be transferred to the Department of Corrections for medical care.

(3)(A) A county sheriff may revoke his or her election under this section by submitting written notice to the Department of Corrections.

(B) Upon revocation of the county sheriff's election, the Department of Corrections shall make the appropriate designations in the Department of Corrections' offender management system and place the inmate under the custody of the Department of Corrections within ten (10) days.

(4) A county sheriff may elect to transfer an eligible inmate to another county jail with the consent of the receiving county sheriff.

(c) Thirteen (13) months prior to the earliest potential release date for an inmate being housed in a county jail under this section, the Department of Corrections shall send notice to the county sheriff for the county in which the inmate is housed and schedule a date that is within 30 days of the notice on which the county sheriff shall transport the inmate to a secured facility operated or contracted by either the Division of Correction or the Division of Community Correction.

(d)(1) Each inmate shall be interviewed to develop a classification of an inmate's skills, work experience, and education and to conduct a validated risk-needs assessment.

(2)(A) An inmate shall work at a job under this section that directly benefits a county jail or a political subdivision located in the county where the county jail is located, or may assist a political subdivision located in the county where the county jail is located in supporting or working with a nonprofit organization with a chapter, committee, or other governing body that is based in the county where the county jail is located, that is related to the inmate's skills, work experience, and education.

(B) An inmate working at a job under subdivision (d)(2)(A) of this section shall be supervised at all times during the inmate's workday.

(3) An inmate house in a county jail under this section shall be entitled to credit on his or her sentence in accordance with state law.

(e) At least once per year, the Department of Corrections shall offer training on conducting validated risk-needs assessments to county sheriffs.

(f) The Department of Corrections shall provide a method for digital delivery of programming to an inmate housed in a county jail under this section.

(g) The Department of Finance and Administration shall reimburse the county for the cost of housing inmates under this section at the same rate established by § 12-27-114(a)(1)(A)(i).

SECTION 2. Arkansas Code § 16-90-402(a)(1), concerning execution of a judgment of confinement, is amended to read as follows:

(a)(1) ~~In~~ Except as provided under § 12-30-408, in executing a judgment of confinement, the county sheriff shall deliver the defendant with a certified standardized copy of the sentencing order to ~~the Division of~~

~~Correction, Division of Community Correction~~ a secured facility operated or contracted by either the Division of Correction or the Division of Community Correction, or to another detention facility, as indicated in the sentencing order.