

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 788 of the Regular Session

As Engrossed: H3/19/09 H3/23/09

A Bill

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009

HOUSE BILL 1894

4  
5 By: Representatives Blount, Allen, T. Baker, Davis, Hoyt, Ingram, W. Lewellen, Rainey, Saunders,  
6 Shelby, Word

7 By: Senators Steele, Crumbly, Elliott, H. Wilkins  
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9

10 **For An Act To Be Entitled**

11 *AN ACT TO AUTHORIZE THE DEPARTMENT OF CORRECTION*  
12 *TO EXPAND THE SKILLS TRAINING PROGRAM AND*  
13 *EDUCATIONAL OPPORTUNITIES FOR INMATES IN THE*  
14 *DEPARTMENT OF CORRECTION; AND FOR OTHER PURPOSES.*

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16 **Subtitle**

17 *TO AUTHORIZE THE DEPARTMENT OF*  
18 *CORRECTION TO EXPAND EDUCATIONAL*  
19 *OPPORTUNITIES FOR INMATES QUALIFIED TO*  
20 *ENROLL IN COLLEGE OR UNIVERSITY COURSES.*

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

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25 *SECTION 1. NOT TO BE CODIFIED.*

26 *Whereas, Arkansas Code § 12-28-101(a)(2) authorizes the Department of*  
27 *Correction to provide education and other rehabilitation and treatment*  
28 *programs designed to prepare inmates committed to the department for*  
29 *productive and law-abiding lives upon release from the Department of*  
30 *Correction; and*

31  
32 *Whereas, Arkansas Code § 12-29-301 establishes the Department of*  
33 *Corrections School System to provide elementary, secondary, and vocational*  
34 *and technical education to qualified persons incarcerated in the Department*  
35 *of Correction and the Department of Community Correction and qualified*



1 persons supervised by the Department of Community Correction; and

2 Whereas, Arkansas Code § 12-29-101(d)(2) provides that inmates in the  
3 institutions of the Department of Correction may participate in and benefit  
4 from the vocational, educational, and rehabilitation services of their  
5 respective institutions solely within the rules and regulations of the  
6 department as determined by the director, subject to appeal and review by the  
7 Board of Corrections or a designated review board in accordance with  
8 procedures that shall be established by the board; and

9  
10 Whereas, the Corrections School System along with the Department of  
11 Correction and the Department of Community Correction have entered into  
12 agreements to provide college courses to qualified persons under  
13 Administrative Regulation 500 which are taught onsite by accredited college  
14 and universities.

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16 SECTION 2. Arkansas Code § 12-28-101 is amended to read as follows:  
17 12-28-101. Facilities.

18 (a)(1) The Department of Correction, with the approval of the Board of  
19 Corrections, shall provide appropriate incarceration facilities for women,  
20 youthful offenders, and other adult offenders committed to the department by  
21 the courts of this state.

22 (2) The department shall also provide education and other  
23 rehabilitation and treatment programs designed to prepare inmates committed  
24 to the department for productive and law-abiding lives upon release from the  
25 department.

26 (3) The department may contract with state or private entities  
27 such as accredited colleges or universities to provide additional educational  
28 opportunities for inmates under the direction and authority of the board and  
29 the Corrections School System.

30 (b) Any facility built or occupied by the department for use as a  
31 correctional facility shall be given a designated name of ~~unit~~ “unit” or  
32 ~~center~~ “center” depending on its size, location, and purpose of usage.

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34 SECTION 3. Arkansas Code § 12-28-104 is amended to read as follows:  
35 12-28-104. Paroling authority.

36 (a) ~~The Post Prison Transfer~~ Parole Board shall be paroling authority

1 for the units of the Department of Correction and shall make recommendations  
2 to the Governor in cases from the criminal courts that, in the board's  
3 opinion, the defendant in the case should be pardoned.

4 (b) The board shall consider the work skills, education,  
5 rehabilitation, and treatment programs recommended to the inmate upon intake  
6 and determine whether the inmate took advantage of those opportunities while  
7 incarcerated in department in making decisions regarding parole.

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9 SECTION 4. Arkansas Code § 12-29-112 is amended to read as follows:  
10 12-29-112. Discharge or release.

11 (a) Inmates released upon completion of their term or released on  
12 parole shall be supplied with satisfactory clothing and a travel subsidy as  
13 prescribed by the Board of Corrections.

14 (b) Upon release of any inmate from any unit or center of the  
15 Department of Correction, the department shall provide transportation for the  
16 inmate to the closest commercial transportation pick-up point.

17 (c) Before the release of an inmate from any unit or center of the  
18 department, the department shall provide:

19 (1) Testing or screening of the inmate for human  
20 immunodeficiency virus (HIV); and

21 (2) Counseling regarding treatment options if the inmate tests  
22 positive for human immunodeficiency virus (HIV).

23 (d) An inmate released upon completion of his or her terms of  
24 incarceration shall be provided:

25 (1) Written and certified proof that he or she completed and  
26 satisfied all the terms of his or her incarceration; and

27 (2) Information on how to reinstate his or her voting rights  
28 upon discharge of his or her sentence.

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32 /s/ Blount

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34 APPROVED: 4/3/2009