

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

HOUSE BILL 1747

5 By: Representative D. Whitaker
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For An Act To Be Entitled

8 AN ACT CONCERNING PAROLE ELIGIBILITY OF A PERSON
9 INCARCERATED IN THE DEPARTMENT OF CORRECTION; AND FOR
10 OTHER PURPOSES.
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Subtitle

12 CONCERNING PAROLE ELIGIBILITY OF A PERSON
13 INCARCERATED IN THE DEPARTMENT OF
14 CORRECTION.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. DO NOT CODIFY. Temporary language.

22 (a) Upon petition to the sentencing court by a person convicted of an
23 offense under the Uniform Controlled Substances Act before the effective date
24 of Acts 2011, No. 570, all punishments imposed upon the petitioner that
25 exceed the maximum sentence permitted under the provisions of Acts 2011, No.
26 570, shall be reduced by the sentencing court to the maximum punishment
27 permitted under Acts 2011, No. 570, for the type and amount of controlled
28 substance involved in the petitioner's conviction.

29 (b) A petitioner who files a petition under this act bears the burden
30 of establishing by a preponderance of the evidence the kind and amount of
31 controlled substance involved in his or her conviction.

32 (c) Notwithstanding the provisions of any statute, rule, or judicial
33 convention to the contrary, a court has the authority and jurisdiction to act
34 upon and implement this act.
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