

1 State of Arkansas  
2 95th General Assembly  
3 Regular Session, 2025  
4

# A Bill

HOUSE BILL 1871

5 By: Representative Gazaway  
6 By: Senator Gilmore  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING THE REVOCATION OF  
10 A PERIOD OF PROBATION OR A PERIOD OF SUSPENSION OF  
11 SENTENCE; TO REQUIRE A PERIOD OF INCARCERATION FOR  
12 DEFENDANTS WHO REPEATEDLY VIOLATE THE TERMS OF THEIR  
13 PROBATION OR SUSPENDED SENTENCE; AND FOR OTHER  
14 PURPOSES.  
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## Subtitle

18 TO REQUIRE A PERIOD OF INCARCERATION FOR  
19 DEFENDANTS WHO REPEATEDLY VIOLATE THE  
20 TERMS OF THEIR PROBATION OR SUSPENDED  
21 SENTENCE.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. Arkansas Code § 16-93-309(d), concerning sentence  
26 alternatives upon the revocation of probation or a suspended sentence, is  
27 amended to read as follows:

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

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

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



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

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