

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

HOUSE BILL 1709

5 By: Representative Scott
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For An Act To Be Entitled

8 AN ACT TO CREATE THE CORRECTIONAL POSTNATAL AND EARLY
9 CHILDHOOD ADVISORY BOARD; TO STUDY AND RESEARCH
10 ISSUES RELATED TO INFANTS AND INCARCERATED MOTHERS;
11 AND FOR OTHER PURPOSES.
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Subtitle

14 TO CREATE THE CORRECTIONAL POSTNATAL AND
15 EARLY CHILDHOOD ADVISORY BOARD; AND TO
16 STUDY AND RESEARCH ISSUES RELATED TO
17 INFANTS AND INCARCERATED MOTHERS.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. DO NOT CODIFY. Correctional Postnatal and Early Childhood
24 Advisory Board – Creation – Powers and duties.

25 (a) As used in this section:

26 (1) "Correctional facility" means:

27 (A) A local or state correctional facility or detention
28 facility that has the power to detain or restrain a person under the laws of
29 the state, including a city jail, county jail, facility operated by the
30 Division of Correction or the Division of Community Correction, or juvenile
31 detention center; or

32 (B) A post-incarceration residential reentry facility
33 designed to house a person on parole; and

34 (2) "Incarcerated mother" means an inmate or detainee who is
35 pregnant, gives birth, or is in postpartum recovery while incarcerated or
36 detained.



1 (b) There is created the Correctional Postnatal and Early Childhood
2 Advisory Board within the Department of Corrections.

3 (c) The Correctional Postnatal and Early Childhood Advisory Board
4 shall consist of the following members:

5 (1) One (1) individual appointed by the Parole Board; and

6 (2) Eight (8) individuals appointed by the Secretary of the
7 Department of Corrections as follows:

8 (A) Four (4) individuals from the department with two (2)
9 of the four (4) individuals having experience in child care licensing;

10 (B) Two (2) pediatric healthcare providers;

11 (C) One (1) individual with expertise in early childhood
12 development; and

13 (D) One (1) individual with experience advocating for
14 women who are inmates or detainees.

15 (d) The Correctional Postnatal and Early Childhood Advisory Board
16 shall elect a chair and cochair of the Correctional Postnatal and Early
17 Childhood Advisory Board from among the members of the Correctional Postnatal
18 and Early Childhood Advisory Board.

19 (e)(1) The chair shall call a meeting of the Correctional Postnatal
20 and Early Childhood Advisory Board at least one (1) time each month.

21 (2) The secretary shall call the first meeting of the
22 Correctional Postnatal and Early Childhood Advisory Board within thirty (30)
23 days of the effective date of this act.

24 (f) A majority of the Correctional Postnatal and Early Childhood
25 Advisory Board constitutes a quorum and a vote of the majority of the members
26 present constitutes an action of the Correctional Postnatal and Early
27 Childhood Advisory Board.

28 (g) A member of the Correctional Postnatal and Early Childhood
29 Advisory Board may receive expense reimbursement under § 25-16-902.

30 (h) The Correctional Postnatal and Early Childhood Advisory Board
31 shall:

32 (1) Review research regarding childhood development and best
33 practices for infants of incarcerated mothers placed in a nursery located
34 within a secure correctional environment in a correctional facility;

35 (2) Study the benefits of having a nursery for infants and
36 incarcerated mothers located within a secure correctional environment and the

1 benefits of placing an infant or incarcerated mothers in a diversion program
 2 removed from a secure correctional environment in a correction facility;

3 (3) Study the costs of implementing a diversion program for
 4 infants and incarcerated mothers removed from a secure correctional
 5 environment in a correctional facility;

6 (4) Create a provisional plan for implementing a diversion
 7 program for infants and incarcerated mothers removed from a secure
 8 correctional environment in a correctional facility; and

9 (5) Advise and make recommendations to the department regarding
 10 rules and policies for any nursery established by the department to provide
 11 space for incarcerated mothers and infants in a correctional facility.

12 (i)(1) On or before November 30, 2024, the Correctional Postnatal and
 13 Early Childhood Advisory Board shall submit a report, including any proposed
 14 legislation, to the:

15 (A) Governor;

16 (B) Speaker of the House of Representatives;

17 (C) President Pro Tempore of the Senate;

18 (D) House Committee on Judiciary; and

19 (E) Senate Committee on Judiciary.

20 (2) The report shall include recommendations relating to
 21 certification of a nursery established in a secure correctional environment
 22 in a correctional facility that address:

23 (A) The safety of the nursery for infants and incarcerated
 24 mothers;

25 (B) The childhood developmental needs of the infants in
 26 the nursery;

27 (C) The specific medical needs of the infants and
 28 incarcerated mothers in the nursery;

29 (D) The appropriate needs of the incarcerated mothers in
 30 the nursery; and

31 (E) Any other requirements recommended by the Correctional
 32 Postnatal and Early Childhood Advisory Board that the department deems
 33 necessary for the nursery.

34 (j) This section and the Correctional Postnatal and Early Childhood
 35 Advisory Board expire on December 31, 2024.

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