

**ARKANSAS SENATE**  
91st General Assembly - Regular Session, 2017  
**Amendment Form**

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**Subtitle of Senate Bill No. 269**

CONCERNING THE COLLECTION OF PROBATION OR PAROLE SUPERVISION FEES; CONCERNING  
THE DUTIES OF AN EMPLOYEE OF THE DEPARTMENT OF COMMUNITY CORRECTION; AND  
CONCERNING THE DEPARTMENT OF FINANCE AND ADMINISTRATION.

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**Amendment No. 1 to Senate Bill No. 269**

Amend Senate Bill No. 269 as originally introduced:

Delete the title in its entirety and substitute the following:

"AN ACT CONCERNING THE COLLECTION OF RESTITUTION BY AN EMPLOYEE OF THE  
DEPARTMENT OF COMMUNITY CORRECTION; TO ESTABLISH THE DEPARTMENT OF FINANCE  
AND ADMINISTRATION AS THE DESIGNATED AGENCY FOR COLLECTION OF RESTITUTION IN  
CERTAIN CIRCUMSTANCES; TO PERMIT THE DEPARTMENT OF FINANCE AND ADMINISTRATION  
TO USE ALL LEGAL MEANS TO COLLECT RESTITUTION IF THE PERSON IS IN ARREARS;  
AND FOR OTHER PURPOSES."

AND

Delete the subtitle in its entirety and substitute the following:

"AN ACT CONCERNING THE COLLECTION OF  
RESTITUTION; AND TO ESTABLISH THE  
DEPARTMENT OF FINANCE AND ADMINISTRATION  
AS THE DESIGNATED AGENCY FOR COLLECTION  
OF RESTITUTION IN CERTAIN CIRCUMSTANCES."

AND

Delete SECTION 3 in its entirety

AND

Delete SECTION 4 in its entirety

AND

Delete SECTION 5 in its entirety and substitute the following:



"SECTION 5. Arkansas Code Title 16, Chapter 93, Subchapter 1, is amended to add an additional section to read as follows:

16-93-111. Collection of restitution from a person on parole – Interception of funds by the Department of Finance and Administration.

(a) The Department of Finance and Administration shall collect any restitution that a circuit court may have ordered a person to pay as a condition of his or her sentence and who is subsequently released on parole.

(b) The department may use any legal means to collect any unpaid restitution it is authorized to collect under this section that is more than three (3) months in arrears, including an interception of the person's state income tax return or lottery winnings.

(c)(1) The department shall make available to a prosecuting attorney, circuit court, or law enforcement agency upon request an accounting of a person's payments of his or her restitution.

(2) An accounting provided under subdivision (c)(1) of this section shall comply with evidentiary standards and be submitted in a manner that would be considered a business record under Rules 801 through 804 of the Arkansas Rules of Evidence.

(3) Upon the request of a prosecuting attorney or defense attorney, the department shall make available a person to testify in court as to the nature of and data included in an accounting of a person's payments of his or her restitution."

AND

Delete SECTION 6 in its entirety

AND

Delete SECTION 7 in its entirety

AND

Appropriately renumber the sections of the bill.

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_

By: Senator J. Hutchinson

BPG/TDW - 02-08-2017 11:57:47

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Secretary