

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.

1 State of Arkansas  
2 84th General Assembly  
3 Regular Session, 2003  
4

# A Bill

HOUSE BILL 1060

5 By: Representatives Mathis, Adams, Bolin, Jacobs, Rankin, Stovall  
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## For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE § 5-4-203  
10 PERTAINING TO CONSEQUENCES OF FAILURE TO PAY  
11 CRIMINAL FINES; AND FOR OTHER PURPOSES.  
12

## Subtitle

13 AN ACT TO AMEND ARKANSAS CODE § 5-4-203  
14 PERTAINING TO CONSEQUENCES OF FAILURE TO  
15 PAY CRIMINAL FINES; AND FOR OTHER  
16 PURPOSES.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code § 5-4-203(a) is amended to read as follows:

23 (a)(1) When a defendant sentenced to pay a fine or costs defaults in  
24 the payment thereof or of any installment, the court, upon its own motion or  
25 that of the prosecuting attorney, may require the person to show cause why he  
26 or she should not be imprisoned for nonpayment.

27 (2) The court may issue a warrant of arrest or a summons for the  
28 defendant's appearance.

29 (3)(A) Unless the defendant shows that his or her default was  
30 not attributable to a purposeful refusal to obey the sentence of the court or  
31 to a failure on his or her part to make a good faith effort to obtain the  
32 funds required for payment, the court may order the defendant imprisoned in  
33 the county jail or other authorized institution designated by the court until  
34 the fine or costs or specified part thereof is paid.

35 (B) The period of imprisonment shall not exceed one (1)  
36 day for each ~~ten dollars (\$10.00)~~ forty dollars (\$40.00) of the fine or



1 costs, thirty (30) days if the fine or costs were imposed upon conviction of  
2 a misdemeanor, or one (1) year if the fine or costs were imposed upon  
3 conviction of a felony, whichever is the shorter period.

4 (4) If the court determines that the default in payment of fine  
5 or costs is not attributable to the causes specified in subdivision (a)(3)(A)  
6 of this section, the court may enter an order allowing the defendant  
7 additional time for payment, reducing the amount of each installment or  
8 revoking the fine or costs or the unpaid portion thereof in whole or in part.

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