

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

A Bill

HOUSE BILL 2474

4
5 By: Representative Martin
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For An Act To Be Entitled

9 AN ACT TO REQUIRE DEFENDANTS TO REIMBURSE ABUSE
10 SHELTERS OR OTHER ENTITIES PROVIDING SERVICES TO
11 VICTIMS OF DOMESTIC ABUSE; AND FOR OTHER
12 PURPOSES.
13

Subtitle

14 AN ACT TO REQUIRE DEFENDANTS TO
15 REIMBURSE ABUSE SHELTERS OR OTHER
16 ENTITIES PROVIDING SERVICES TO VICTIMS
17 OF DOMESTIC ABUSE.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 5-26-310 is amended to read as follows:
24 5-26-310. Costs.

25 (a) The abused in any misdemeanor or felony domestic violence offense
26 shall not bear the costs associated with the filing of criminal charges
27 against the domestic violence offender, or the costs associated with the
28 issuance or service of a warrant and witness subpoena, except as provided in
29 subsection (b) of this section.

30 (b) Nothing in this section shall be construed to prohibit a judge
31 from assessing costs if the allegations of abuse are determined to be false.

32 (c)(1) Upon entering a plea of guilty, nolo contendere or being found
33 guilty, a defendant violating §§ 5-26-303, 5-26-304, 5-26-305, 5-26-307, 5-
34 26-308, or 5-26-309, may be required to reimburse any abuse shelter or other
35 entity providing services to the victim, provided some proof of expense is
36 provided.



1 (2)(A) For the purposes of this subsection, a bill or invoice
2 with a verified signature from an employee, officer, or agent of the entity
3 providing services shall be adequate proof.

4 (B) If the defendant maintains the home in which the abuse
5 occurred, and it is necessary for the victim to continue to maintain a
6 separate residence, the defendant may be ordered to continue to pay for the
7 other residence, unless and until an action shall be commenced in a court of
8 competent jurisdiction.

9 (C) Nothing in this section shall conflict with or pre-
10 empt any orders of a judge in a divorce, custody, separate maintenance, or
11 other related actions to dissolve the marriage.

12 (d)(1) Upon entering a plea of guilty, nolo contendere or being found
13 guilty, a defendant violating §§ 5-26-303, 5-26-304, 5-26-305, 5-26-307, 5-
14 26-308, or 5-26-309, may be required to pay for any services to the victim
15 because of the conduct of the defendant.

16 (2)(A) These services shall include, but not be limited to,
17 medical or dental expenses, the expense of any cosmetic surgery related to
18 the conduct of the defendant, and any counseling services provided to the
19 victim.

20 (B) Proof shall be offered of the expense.

21 (C) For the purposes of this subsection, a bill or invoice
22 with a verified signature from an employee, officer, or agent of the entity
23 providing services shall be adequate proof.

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