

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

ACT 341 OF 1997
SENATE BILL 188

4
5 By: Senator Bell
6
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For An Act To Be Entitled

8
9 "AN ACT TO PROVIDE CIVIL RELIEF TO VICTIMS OF CRIME; AND
10 FOR OTHER PURPOSES."

Subtitle

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12
13 "AN ACT TO PROVIDE CIVIL RELIEF TO
14 VICTIMS OF CRIME."
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16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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18 SECTION 1. (a) Any person injured or damaged by reason of conduct of
19 another person that would constitute a felony under Arkansas law may file a
20 civil action to recover damages based on the conduct. The burden of proof for
21 showing conduct that constituted a felony shall be a preponderance of the
22 evidence. If the person who is injured or damaged prevails, he or she shall
23 be entitled to recover costs and attorneys fees.

24 (b) The action may be maintained by the person who was injured or
25 damaged or, after the persons death, the executor, administrator or
26 representative of his or her estate.

27 (c) The remedy provided in this section shall be in addition to any
28 other remedies in law or equity.
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30 SECTION 2. All provisions of this act of a general and permanent
31 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
32 Code Revision Commission shall incorporate the same in the Code.
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34 SECTION 3. If any provision of this act or the application thereof to
35 any person or circumstance is held invalid, such invalidity shall not affect
36 other provisions or applications of the act which can be given effect without

1 the invalid provision or application, and to this end the provisions of this
2 act are declared to be severable.

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4 SECTION 4. All laws and parts of laws in conflict with this act are
5 hereby repealed.

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7 SECTION 5. EMERGENCY. It is found and determined by the General
8 Assembly of the State of Arkansas that victims of crime should be allowed to
9 recover damages from the perpetrator of the crime; that in some instances the
10 present law does not provide an adequate remedy to victims of crime; and that
11 this act is immediately necessary to assist victims of crime. Therefore, an
12 emergency is declared to exist and this act being immediately necessary for
13 the preservation of the public peace, health and safety shall become effective
14 on the date of its approval by the Governor. If the bill is neither approved
15 nor vetoed by the Governor, it shall become effective on the expiration of the
16 period of time during which the Governor may veto the bill. If the bill is
17 vetoed by the Governor and the veto is overridden, it shall become effective
18 on the date the last house overrides the veto.

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APPROVED:3-05-97

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