

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

*As Engrossed: H3/25/03*

# A Bill

Act 1336 of 2003  
HOUSE BILL 2486

5 By: Representative J. Johnson  
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## For An Act To Be Entitled

9 AN ACT TO AMEND THE DEFINITION OF A CRIME VICTIM  
10 TO INCLUDE A GOVERNMENTAL ENTITY OR AGENCY; TO  
11 PROVIDE THAT PERSONS VIOLATING THE UNIFORM  
12 CONTROLLED SUBSTANCES ACT SHALL MAKE RESTITUTION  
13 TO THE STATE OR LOCAL AGENCY FOR SITE CLEANUP; TO  
14 PROVIDE THAT RESTITUTION SHALL BE MADE UNDER  
15 ARKANSAS CODE § 5-4-205; AND FOR OTHER PURPOSES.  
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## Subtitle

17 AN ACT TO INCLUDE GOVERNMENTAL ENTITY OR  
18 AGENCIES IN THE DEFINITION OF A CRIME  
19 VICTIM AND TO PROVIDE THAT PERSONS  
20 VIOLATING THE UNIFORM CONTROLLED  
21 SUBSTANCES ACT SHALL MAKE RESTITUTION.  
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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27 SECTION 1. Arkansas Code § 5-4-205(a)(5), concerning restitution, is  
28 amended to read as follows:

29 (5) As used in this section and in any provision of law relating  
30 to restitution, "victim" means each person, partnership, ~~or~~ corporation, or  
31 governmental entity or agency who suffers property damage or loss, monetary  
32 expense, or physical injury or death as a direct or indirect result of the  
33 defendant's offense or criminal episode, and also includes the victim's  
34 estate if the victim is deceased, and the victim's next of kin if the victim  
35 is deceased as a result of the offense.  
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1 SECTION 2. Arkansas Code § 5-64-401(h)(2), concerning criminal  
2 penalties under the Uniform Controlled Substance Act, is amended to read as  
3 follows:

4 (2) ~~The person shall be liable to the state or local agency that was~~  
5 ~~responsible for the site cleanup.~~ The person shall make restitution to the  
6 state or local agency responsible for the cleanup for the cost of the cleanup  
7 under § 5-4-205.

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9 /s/ J. Johnson

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12 APPROVED: 4/14/2003  
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