

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: H3/28/03

A Bill

Act 1770 of 2003
HOUSE BILL 2474

5 By: Representative Martin
6
7

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

15 AN ACT TO REQUIRE DEFENDANTS TO
16 REIMBURSE ABUSE SHELTERS OR OTHER
17 ENTITIES PROVIDING SERVICES TO VICTIMS
18 OF DOMESTIC ABUSE.
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

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, under the provisions of the Arkansas
36 Crime Victims Reparations Act, §§ 16-90-701 et seq., provided some proof of



1 expense is provided, in conjunction with the Arkansas Crime Victims
2 Reparations Act, §§ 16-90-701 et seq.

3 (2)(A) If the defendant maintains the home in which the
4 abuse occurred, and the victim will continue to incur lodging costs, the
5 defendant may be ordered to continue to provide remuneration for the victim's
6 lodging, under the provisions of the Arkansas Crime Victims Reparations Act,
7 §§ 16-90-701 et seq., unless and until an action shall be commenced in a
8 court of competent jurisdiction.

9 (B) 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) Nothing in this section shall conflict with or pre-empt provisions
13 of § 16-90-703.

14
15 /s/ Martin
16
17

18 APPROVED: 4/22/2003
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36