

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.

Act 770 of the Regular Session

As Engrossed: S3/12/09 S3/19/09

A Bill

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009

SENATE BILL 882

4
5 By: Senator Altes
6 By: Representative S. Malone

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9 **For An Act To Be Entitled**

10 AN ACT TO AMEND THE STATUTE REGARDING VICTIM
11 RESTITUTION; AND FOR OTHER PURPOSES.

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13 **Subtitle**

14 TO AMEND THE STATUTE REGARDING VICTIM
15 RESTITUTION.

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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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20 SECTION 1. Arkansas Code § 5-4-205(e), concerning victim restitution,
21 is amended to read as follows:

22 (e)(1) Restitution shall be made immediately unless prior to the
23 imposition of sentence the court determines that the defendant should be:

24 (A) Given a specified time to pay; or

25 (B)(i) Allowed to pay in specified installments.

26 (ii) If a court authorizes payment of restitution by
27 a defendant in specified installments, a monthly installment fee of five
28 dollars (\$5.00) shall be assessed on the defendant for making restitution
29 payments on an installment basis in addition to the restitution and other
30 assessments authorized.

31 (iii) The monthly installment fee under subdivision
32 (e)(1)(B)(ii) of this section shall be remitted to the collecting official to
33 be used to defray the cost of restitution collection.

34 (2) In determining the method of payment, the court shall take
35 into account:



1 (A) The financial resources of the defendant and the
2 burden that payment of restitution will impose with regard to another
3 obligation of the defendant;

4 (B) The ability of the defendant to pay restitution on an
5 installment basis or on another condition to be fixed by the court; and

6 (C) The rehabilitative effect on the defendant of the
7 payment of restitution and the method of payment.

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9 /s/ Altes

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11 **APPROVED: 4/2/2009**
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