

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

As Engrossed: S3/1/11
A Bill

SENATE BILL 496

5 By: Senator J. Dismang
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7 **For An Act To Be Entitled**

8 AN ACT TO ELIMINATE DUPLICATION OF STATUTES REGARDING
9 THE ADULT MALTREATMENT ACT AND THE MEDICAID FRAUD
10 ACT; AND FOR OTHER PURPOSES.
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13 **Subtitle**

14 TO ELIMINATE DUPLICATION OF STATUTES
15 REGARDING THE ADULT MALTREATMENT ACT AND
16 THE MEDICAID FRAUD ACT.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 16-118-107 is amended to read as follows:
22 16-118-107. Civil action by crime victim.

23 (a)(1) Any person injured or damaged by reason of conduct of another
24 person that would constitute a felony under Arkansas law may file a civil
25 action to recover damages based on the conduct.

26 (2) The burden of proof for showing conduct that constituted a
27 felony shall be a preponderance of the evidence.

28 (3) If the person who is injured or damaged prevails, he or she
29 shall be entitled to recover costs and attorney's fees.

30 (b) The action may be maintained by the person who was injured or
31 damaged or, after the person's death, the executor, administrator, or
32 representative of his or her estate.

33 (c) The remedy provided in this section shall be in addition to any
34 other remedies in law or equity.

35 (d) This section does not apply to offenses under § 5-28-101 et seq.
36 or § 5-55-101 et seq.



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/s/J. Dismang

APPROVED: 03/09/2011