

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

As Engrossed: S3/13/13 S3/21/13

A Bill

SENATE BILL 1086

5 By: Senator K. Ingram
6

For An Act To Be Entitled

8 AN ACT REGARDING THE STATUTE OF LIMITATION IN
9 WRONGFUL DEATH LAWSUITS AND TO PROHIBIT THE PROFITING
10 FROM CERTAIN CRIMINAL ACTS; AND FOR OTHER PURPOSES.
11

Subtitle

12 REGARDING THE STATUTE OF LIMITATION IN
13 WRONGFUL DEATH LAWSUITS AND TO PROHIBIT
14 THE PROFITING FROM CERTAIN CRIMINAL ACTS.
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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 § 16-62-102(c), concerning the statute of
22 limitation in wrongful death lawsuits, is amended to read as follows:

23 (c)(1) Every action authorized by this section shall be commenced
24 within three (3) years after the death of the person alleged to have been
25 wrongfully killed, except the action may be commenced against a person in
26 the time period permitted to bring a murder charge under § 5-1-109(a) if the
27 person was convicted of one (1) of the following offenses:

28 (A) Capital murder, § 5-10-101;

29 (B) Murder in the first degree, § 5-10-102; or

30 (C) Murder in the second degree, § 5-10-103.

31 (2) If a nonsuit is ~~suffered~~ entered for an action authorized by
32 this section, the action shall be brought within one (1) year from the date
33 ~~of~~ the nonsuit was entered without regard to the date of the death of the
34 person alleged to have been wrongfully killed.
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36 SECTION 2. Arkansas Code § 16-90-308(a), concerning proceeds from the



1 sale of rights arising from a criminal act, is amended to read as follows:

2 (a)(1) Any person referred to as the defendant in this section who has
3 been convicted of or pleaded guilty or nolo contendere to any crime who
4 contracts to ~~reenact the crime by use of any book, motion picture, magazine~~
5 ~~article, radio or television presentation, live entertainment, or any live or~~
6 ~~recorded presentation, or from the expression of his or her thoughts,~~
7 ~~opinions, or emotions~~ benefit economically regarding the crime, shall pay to
8 the circuit court ~~wherein~~ in which the charges for the crime were filed any
9 money or thing of value contracted to be paid to the defendant or his or her
10 *spouse, heirs, assigns, and transferees.*

11 (2) As used in this subdivision (a)(1) of this section,
12 "benefitting economically" does not include reimbursement for travel or other
13 expenses.

14 ~~(2)(3)~~ (3) The circuit court shall deposit the moneys ~~in~~ into an
15 escrow account for the benefit of and payable to any victim, or his or her
16 legal representative, of crimes committed by the defendant.

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18 /s/K. Ingram
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