

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

HOUSE BILL 1550

5 By: Representative Unger
6 By: Senator C. Penzo
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING RESTITUTION
10 PAYMENTS; TO REQUIRE RESTITUTION TO BE PAID BEFORE
11 COURT COSTS AND FINES; AND FOR OTHER PURPOSES.
12
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Subtitle

15 TO AMEND THE LAW CONCERNING RESTITUTION
16 PAYMENTS; AND TO REQUIRE RESTITUTION TO
17 BE PAID BEFORE COURT COSTS AND FINES.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code Title 5, Chapter 4, Subchapter 2, is amended
23 to add an additional section to read as follows:

24 5-4-208. Installment payments – Restitution to be paid first.

25 If a defendant is making installment payments under § 5-4-202(b), and
26 is also making installment payments for restitution under § 5-4-205(e)(1)(B),
27 the installment payments are given priority as follows:

28 (1) First, installment payments are applied to restitution, with
29 the exception of the monthly installment fee, which is remitted as provided
30 under § 5-4-205(e)(1)(B)(ii); and

31 (2) Second, when restitution has been paid in full, remaining
32 installment payments are applied to court costs and then fines.
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34 SECTION 2. Arkansas Code § 16-10-209(5)(F)(i), concerning the priority
35 of installment payments in district courts, is amended to read as follows:

36 (F)(i) All installment payments, with the exception of the



1 monthly installment fee, which is remitted as provided under § 5-4-
2 205(e)(1)(B)(ii), shall initially be deemed to be collections of ~~court costs~~
3 restitution until ~~the court costs~~ restitution ~~have~~ has been collected in
4 full, with any remaining installment payments representing collections of
5 ~~restitution~~ court costs, and then fines.

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8 **APPROVED: 4/4/23**
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