

ARKANSAS SENATE
90th General Assembly - Regular Session, 2015
Amendment Form

Subtitle of House Bill No. 1434

CONCERNING THE SATISFACTION OF COURT-ORDERED RESTITUTION IN A CRIMINAL CASE
THROUGH INTERCEPTION OF STATE INCOME TAX REFUNDS.

Amendment No. 1 to House Bill No. 1434

Amend House Bill No. 1434 as originally introduced:

Page 1, delete lines 27 through 33, and substitute the following:

"(a) As used in this section, "restitution order" means a judgment and commitment order, judgment and disposition order, or other order that imposes a duty on a defendant to pay restitution.

(b) A court that orders the payment of restitution as a condition of a defendant's sentence shall note on the restitution order that the restitution may be collected through an interception of the defendant's state income tax return if the defendant has failed to comply with the terms and conditions of the restitution order.

(c) If a victim who is to receive restitution under a restitution order informs the prosecuting attorney that he or she has not been paid the ordered restitution in accordance with the restitution order, the prosecuting attorney may file a petition under this section to request the interception of the defendant's state income tax return in order to satisfy the restitution order."

AND

Page 1, line 34, delete "(b)(1)" and substitute "(d)(1)"

AND

Page 2, line 3, delete "(c)(1)" and substitute "(e)(1)"

AND

Page 2, line 13, delete "(d)(1)" and substitute "(f)(1)"

AND

Page 2, line 13, delete "(c)" and substitute "(e)"



AND

Page 2, delete line 14, and substitute the following:

"the prosecuting attorney or other county official or entity with a duty to collect restitution may proceed under § 26-36-301 et seq. to collect"

AND

Page 2, line 17, delete "(d)(1)" and substitute "(f)(1)"

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator G. Stubblefield

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Secretary