

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

As Engrossed: S2/25/97

A Bill

HOUSE BILL 1299

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5 By: Representative Young
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For An Act To Be Entitled

9 "AN ACT TO REQUIRE ANY COMPENSATORY DAMAGES AWARDED TO
10 INCARCERATED PERSONS BE PAID DIRECTLY TO SATISFY ANY
11 OUTSTANDING OR PENDING RESTITUTION ORDER; AND FOR OTHER
12 PURPOSES."

Subtitle

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15 "TO REQUIRE COMPENSATORY DAMAGES AWARDED
16 INCARCERATED PERSONS TO SATISFY
17 RESTITUTION ORDERS"
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Any compensatory damages after payment of attorneys' fees
22 and costs awarded to a prisoner in connection with a civil action brought
23 against any state or local jail, prison, or correctional facility, or against
24 any official or agent of such jail, person, or correctional facility, shall be
25 paid directly to satisfy any outstanding restitution orders pending against
26 the prisoner. The remainder of any such award after full payment of all
27 pending restitution orders shall be forwarded to the prisoner.

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29 SECTION 2. The provisions of this act are not intended to in any way
30 affect the immunity from suit granted to State officials and employees under
31 A.C.A. § 19-20-305 or to the State and its official agencies under Art. 5,
32 § 20 of the Arkansas Constitution.

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34 SECTION 3. All provisions of this act of a general and permanent nature
35 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
36 Revision Commission shall incorporate the same in the Code.

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SECTION 4. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 5. All laws and parts of laws in conflict with this act are hereby repealed.

/s/Rep. Young