

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

As Engrossed: H3/26/97

A Bill

HOUSE BILL 2164

4
5 By: Representative Critcher

For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE § 5-4-202, REGARDING THE
10 PAYMENT OF FINES AND COSTS OVER SPECIFIED PERIODS OF TIME,
11 TO REQUIRE THAT TIME PAYMENTS SHALL BE APPLIED TO PAYING
12 ANY FINES *AND COURT COSTS EQUALLY ON A 50-50 BASIS*; AND
13 FOR OTHER PURPOSES."

Subtitle

15 "TO REQUIRE THAT TIME PAYMENTS OF FINES
16 AND COURT COSTS BE APPLIED TO PAYING ANY
17 FINES *AND COURT COSTS EQUALLY*."
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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 § 5-4-202 is amended to read as follows:

23 "5-4-202. Alternative sentence prohibited - Time of payment.

24 (a)(1) If the defendant is sentenced to pay a fine or costs, the court
25 shall not at the same time impose an alternative sentence or imprisonment to
26 be served if the fine or costs are not paid.

27 (2) The consequences of nonpayment shall be determined only after
28 the fine or costs have not been paid, in accordance with § 5-4-203.

29 (b)(1) If a defendant is sentenced to pay a fine or costs, the court
30 may grant permission for payment to be made within a specified period of time
31 or in specified installments. If no such permission is granted in the
32 sentence, the fine or costs shall be payable immediately.

33 (2) If the court grants permission for a defendant to pay a fine
34 or costs, or both, over a specified period of time or in specified
35 installments, the full amount of any payments, as they are received, shall be
36 applied to any fines and to any court costs on an equal, 50-50, basis until

1 both are paid in full."

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3 SECTION 2. All provisions of this act of general and permanent nature
4 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
5 Revision Commission shall incorporate the same in the Code.

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7 SECTION 3. If any provisions of this act or the application thereof to
8 any person or circumstance is held invalid, the invalidity shall not affect
9 other provisions or applications of the act which can be given effect without
10 the invalid provisions or application, and to this end the provisions of this
11 act are declared to be severable.

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13 SECTION 4. All laws and parts of laws in conflict with this act are
14 hereby repealed.

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/s/Rep. Critcher

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