

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009

# A Bill

HOUSE BILL 2149

4  
5 By: Representative S. Malone  
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## For An Act To Be Entitled

8  
9 AN ACT TO AMEND THE STATUTE REGARDING VICTIM  
10 RESTITUTION; AND FOR OTHER PURPOSES.  
11

### Subtitle

12  
13 TO AMEND THE STATUTE REGARDING VICTIM  
14 RESTITUTION.  
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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19 SECTION 1. Arkansas Code § 5-4-205(e), concerning victim restitution,  
20 is amended to read as follows:

21 (e)(1) Restitution shall be made immediately unless prior to the  
22 imposition of sentence the court determines that the defendant should be:

23 (A) Given a specified time to pay; or

24 (B)(i) Allowed to pay in specified installments.

25 (ii) If a court authorizes payment of restitution by  
26 a defendant in specified installments, a monthly installment fee of five  
27 dollars (\$5.00) shall be assessed on the defendant for making restitution  
28 payments on an installment basis through the prosecuting attorney's office,  
29 in addition to the restitution and other assessments authorized.

30 (iii) The monthly installment fee under subdivision  
31 (e)(1)(B)(ii) of this section shall be remitted to the prosecuting attorney's  
32 office to be used to defray the cost of restitution collection.

33 (2) In determining the method of payment, the court shall take  
34 into account:

35 (A) The financial resources of the defendant and the  
36 burden that payment of restitution will impose with regard to another



1 obligation of the defendant;

2 (B) The ability of the defendant to pay restitution on an  
3 installment basis or on another condition to be fixed by the court; and

4 (C) The rehabilitative effect on the defendant of the  
5 payment of restitution and the method of payment.

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