1   State of Arkansas

2   87th General Assembly

3   Regular Session, 2009

As Engrossed: S3/12/09 S3/19/09

A Bill

SENATE BILL   882

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5   By: Senator Altes

6   By: Representative S. Malone

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9   **For An Act To Be Entitled**

10   AN ACT TO AMEND THE STATUTE REGARDING VICTIM

11   RESTITUTION; AND FOR OTHER PURPOSES.

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13   **Subtitle**

14   TO AMEND THE STATUTE REGARDING VICTIM

15   RESTITUTION.

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18   BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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20   SECTION 1. Arkansas Code § 5-4-205(e), concerning victim restitution,

21   is amended to read as follows:

22   (e)(1) Restitution shall be made immediately unless prior to the

23   imposition of sentence the court determines that the defendant should be:

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

25   (B)_(i)_ Allowed to pay in specified installments.

26   _(ii) If a court authorizes payment of restitution by_

27   _a defendant in specified installments, a monthly installment fee of five_

28   _dollars ($5.00) shall be assessed on the defendant for making restitution_

29   _payments on an installment basis_ in addition to the restitution and other

30   assessments authorized.

31   (iii) The monthly installment fee under subdivision

32   (e)(1)(B)(ii) of this section shall be remitted to the *collecting official* to

33   be used to defray the cost of restitution collection.

34   (2) In determining the method of payment, the court shall take

35   into account:

36   (A) The financial resources of the defendant and the

1 burden that payment of restitution will impose with regard to another

2 obligation of the defendant;

3   (B) The ability of the defendant to pay restitution on an

4 installment basis or on another condition to be fixed by the court; and

5   (C) The rehabilitative effect on the defendant of the

6 payment of restitution and the method of payment.

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8   */s/ Altes*

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