1   State of Arkansas   *As Engrossed: H3/10/15*

2   90th General Assembly   A Bill

3   Regular Session, 2015   HOUSE BILL 1236

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5   By: Representative Baltz

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7   **For An Act To Be Entitled**

8   AN ACT CONCERNING RESTITUTION TO THE DEPENDENTS OF A

9   VICTIM OF A FELONY INVOLVING VIOLENCE; AND FOR OTHER

10   PURPOSES.

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13   **Subtitle**

14   CONCERNING RESTITUTION TO THE DEPENDENTS

15   OF A VICTIM OF A FELONY INVOLVING

16   VIOLENCE.

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

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21   SECTION 1. Arkansas Code § 5-4-205(b), concerning the restitution to a

22   victim of a crime, is amended to add a new subdivision to read as follows:

23   (6)(A) A restitution order may be entered under this section to

24   require that a defendant pay a victim's dependent's reasonable living

25   expenses if:

26   (i) The defendant committed a felony involving

27   violence as defined in § 5-4-501(d)(2); and

28   (ii) The victim died as a result of the felony

29   involving violence as defined in § 5-4-501(d)(2).

30   (B) Restitution ordered under this subdivision (b)(6) is

31   not exclusive and does not preclude the victim's estate from pursuing a civil

32   remedy available to it by law.

33   (C) There is not a limit to the restitution ordered under

34   this subdivision (b)(6) with respect to the amount of the restitution or the

35   number of dependents.

36   (D) The court may use the Child Support Guidelines

1   contained in Appendix Administrative Order Number 10 located in Title 9 of

2   the Arkansas Code as a reference in order to calculate the victim's

3   dependent's reasonable living expenses.

4   (E) As used in this subdivision (b)(6), "dependent" means:

5   (i) A person under eighteen (18) years of age; or

6   (ii) A person eighteen (18) years of age or older

7   for whom the victim was his or her legal guardian.

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11   /s/Baltz

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