1	State of Arkansas	As Engrossed: H3/15/17	
2	91st General Assembly	A Bill	
3	Regular Session, 2017		HOUSE BILL 2131
4			
5	By: Representative K. Fergu	Ison	
6			
7		For An Act To Be Entitled	
8	AN ACT CONCERNING A SUSPENDED IMPOSITION OF SENTENCE;		
9	CONCERNING A CRIMINAL CONVICTION; CONCERNING		
10	SUSPENDIN	IG AN IMPOSITION OF SENTENCE WHEN A PE	RSON
11	OWES REST	ITUTION; AND FOR OTHER PURPOSES.	
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14		Subtitle	
15	CON	CERNING A SUSPENDED IMPOSITION OF	
16		TENCE; CONCERNING A CRIMINAL	
17	CON	VICTION; AND CONCERNING SUSPENDING AN	
18	IMP	OSITION OF SENTENCE WHEN A PERSON OWES	
19	RES'	TITUTION,	
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22	BE IT ENACTED BY THE	GENERAL ASSEMBLY OF THE STATE OF ARKAN	NSAS:
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24		cansas Code § 5-4-301(a), concerning t.	
25	-	t place a person on probation or suspe	nded imposition of
26	sentence, is amended		
27		shall not suspend imposition of sent	
28		lace a defendant on probation for the	following offenses:
29		Capital murder, § 5-10-101;	
30		Treason, § 5-51-201;	
31	(C,		-
32		f imprisonment is permitted in § 5-4-1	
33	(D)	0 0	
34 25	(E)		
35	-	an additional term of imprisonment is	permittea in § 5-
36	4-104(c); or		



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1	(F) Engaging in a continuing criminal enterprise, § 5-64-		
2	405.		
3	(2) If it is determined pursuant to <u>under</u> § 5-4-502 that a		
4	defendant has previously been convicted of two (2) or more felonies, the		
5	court shall not:		
6	(A) Suspend imposition of sentence; or		
7	(B) Place the defendant on probation.		
8	(3) A court shall not sentence a person to a suspended		
9	imposition of sentence if the person owes restitution to a victim of the		
10	offense for which the person is being sentenced.		
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12	SECTION 2. Arkansas Code § 5-4-303(f)(1), concerning conditions of		
13	suspension and probation, is amended to read as follows:		
14	(f)(l) If the court suspends imposition of sentence on a defendant or		
15	places him or her <u>a defendant</u> on probation conditioned upon his or her making		
16	restitution under subdivision (c)(6) of this section, the court, by		
17	concurrence of the victim, defendant, and the prosecuting authority, shall		
18	determine the amount to be paid as restitution.		
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20	/s/K. Ferguson		
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