

State of Arkansas
92nd General Assembly
Regular Session, 2019

As Engrossed: H2/5/19
A Bill

HOUSE BILL 1126

By: Representative Evans
By: Senator B. Ballinger

For An Act To Be Entitled

AN ACT CONCERNING A VICTIM IMPACT STATEMENT IN A
CRIMINAL TRIAL; AND FOR OTHER PURPOSES.

Subtitle

CONCERNING A VICTIM IMPACT STATEMENT IN A
CRIMINAL TRIAL.

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

SECTION 1. Arkansas Code § 16-90-1112 is amended to read as follows:
16-90-1112. Victim impact statement.

(a)(1) Before imposing sentence, the court shall permit the victim to present a victim impact statement concerning the effects of the crime on the victim, the circumstances surrounding the crime, and the manner in which the crime was perpetrated.

(2) The victim may present the statement in writing before the sentencing proceeding or orally under oath at the sentencing proceeding.

(3) The defendant is required to physically remain in the courtroom during the presentation of any victim impact statement, unless the court determines that the defendant is behaving in a disruptive manner or in a manner that presents a threat to the safety of any person present in the courtroom.

(b) The court shall give copies of all written victim impact statements to the prosecuting attorney and the defendant.

(c) The sentencing court shall consider the victim impact statement along with other factors, but if the victim impact statement includes new



material factual information upon which the court intends to rely, the court shall adjourn the sentencing proceeding or take other appropriate action to allow the defendant adequate opportunity to respond.

/s/Evans

APPROVED: 3/5/19