

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
90th General Assembly
Regular Session, 2015

As Engrossed: H3/10/15
A Bill

HOUSE BILL 1236

By: Representative Baltz

For An Act To Be Entitled

AN ACT CONCERNING RESTITUTION TO THE DEPENDENTS OF A
VICTIM OF A FELONY INVOLVING VIOLENCE; AND FOR OTHER
PURPOSES.

Subtitle

CONCERNING RESTITUTION TO THE DEPENDENTS
OF A VICTIM OF A FELONY INVOLVING
VIOLENCE.

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

SECTION 1. Arkansas Code § 5-4-205(b), concerning the restitution to a victim of a crime, is amended to add a new subdivision to read as follows:

(6)(A) A restitution order may be entered under this section to require that a defendant pay a victim's dependent's reasonable living expenses if:

(i) The defendant committed a felony involving violence as defined in § 5-4-501(d)(2); and

(ii) The victim died as a result of the felony involving violence as defined in § 5-4-501(d)(2).

(B) Restitution ordered under this subdivision (b)(6) is not exclusive and does not preclude the victim's estate from pursuing a civil remedy available to it by law.

(C) There is not a limit to the restitution ordered under this subdivision (b)(6) with respect to the amount of the restitution or the number of dependents.

(D) The court may use the Child Support Guidelines



contained in Appendix Administrative Order Number 10 located in Title 9 of the Arkansas Code as a reference in order to calculate the victim's dependent's reasonable living expenses.

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

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

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

for whom the victim was his or her legal guardian.

/s/Baltz