

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

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

HOUSE BILL 1550

By: Representative Unger
By: Senator C. Penzo

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING RESTITUTION
PAYMENTS; TO REQUIRE RESTITUTION TO BE PAID BEFORE
COURT COSTS AND FINES; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING RESTITUTION
PAYMENTS; AND TO REQUIRE RESTITUTION TO
BE PAID BEFORE COURT COSTS AND FINES.

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

SECTION 1. Arkansas Code Title 5, Chapter 4, Subchapter 2, is amended to add an additional section to read as follows:

5-4-208. Installment payments – Restitution to be paid first.

If a defendant is making installment payments under § 5-4-202(b), and is also making installment payments for restitution under § 5-4-205(e)(1)(B), the installment payments are given priority as follows:

(1) First, installment payments are applied to restitution, with the exception of the monthly installment fee, which is remitted as provided under § 5-4-205(e)(1)(B)(ii); and

(2) Second, when restitution has been paid in full, remaining installment payments are applied to court costs and then fines.

SECTION 2. Arkansas Code § 16-10-209(5)(F)(i), concerning the priority of installment payments in district courts, is amended to read as follows:

(F)(i) All installment payments, with the exception of the



monthly installment fee, which is remitted as provided under § 5-4-205(e)(1)(B)(ii), shall initially be deemed to be collections of ~~court costs~~ restitution until ~~the court costs~~ restitution ~~have~~ has been collected in full, with any remaining installment payments representing collections of ~~restitution~~ court costs, and then fines.