

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

State of Arkansas
95th General Assembly
Regular Session, 2025

A Bill

SENATE BILL 244

By: Senator J. Bryant
By: Representative Unger

For An Act To Be Entitled

AN ACT CONCERNING POSTPONEMENT OF JUDGMENT IN
DISTRICT COURT; TO PERMIT A SUSPENDED IMPOSITION OF
SENTENCE IN CERTAIN DISTRICT COURT CASES; AND FOR
OTHER PURPOSES.

Subtitle

CONCERNING POSTPONEMENT OF JUDGMENT IN
DISTRICT COURT; AND TO PERMIT A
SUSPENDED IMPOSITION OF SENTENCE IN
CERTAIN DISTRICT COURT CASES.

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

SECTION 1. Arkansas Code § 5-4-321 is amended to read as follows:

5-4-321. Judgment in certain ~~misdemeanor traffic~~ district court cases –
Postponement.

(a) In a ~~misdemeanor traffic case, other than a case involving driving
under the influence of alcohol or a drug, a judge~~ within the criminal or
traffic division of a district court, the district court may postpone a
judgment for not more than one (1) year, and during the one (1) year period a
defendant:

(1) Is in a probation status, supervised or unsupervised; ~~and~~
(2) Is in compliance with other orders of the court; and
(3) Remains in a probation status until a final judgment of
conviction is entered or the case is dismissed.

(b)(1) If a defendant enters a conditional plea of guilty under this
section, the district court may allow the defendant to withdraw his or her



conditional plea of guilty and dismiss the case upon completion of the probationary term and satisfaction of other orders of the district court.

(2) The district court may immediately enter a final judgment of conviction upon finding that a defendant violated the conditions of probation or other orders of the court.

(c) The following defendants are not eligible for a postponement of judgment under this section:

(1) A defendant who was a holder of a commercial driver's license or commercial learner's permit at the time of the offense, unless the offense was a parking violation, vehicle weight violation, or vehicle defect violation;

(2) A defendant who is charged with driving under the influence of alcohol or other intoxicating substance; and

(3) A defendant who is charged with an offense for which probation or postponement of judgment is otherwise prohibited by law.

(d) Restitution, fines, fees, or court costs assessed and collected under this section shall be distributed in the same manner as if a judgment of conviction was entered.

(e) A district court is not required to report the disposition of a case under this section until either a final judgment of conviction is entered or the case is dismissed.

(f) At the request of a defendant, parent of a minor defendant, or counsel for a defendant, judgment shall be entered as quickly as feasible and not more than ten (10) days following the request.

(g) At the request of a defendant, parent of a minor defendant, or counsel for a defendant, probation may be continued and judgment postponed for more than one (1) year.