

S.B. 167

VICTIM RESTITUTION AMENDMENTS

Senator **Gregory S. Bell** proposes the following amendments:

1. *Page 2, Lines 31 through 36:*

31 (1) At the time a criminal information, indictment charging a violation, or a petition
32 alleging delinquency is filed, **or at any time during the prosecution of the case,** a prosecutor may
petition the court to enter a restraining order or
33 injunction, require the execution of a satisfactory performance bond, or take any other action to
34 preserve the availability of property which may be necessary to satisfy an anticipated restitution
35 order if, in the prosecutor's best judgement, there is a substantial likelihood that a conviction
36 will be obtained and restitution will be ordered.

2. *Page 2, Lines 37 through 40:*

37 (a) Upon receiving a petition from a prosecutor under this Subsection (1), **and after notice and a**
hearing, the court
38 may enter a restraining order or injunction, require the execution of a satisfactory performance
39 bond, or take any action necessary to preserve the availability of property which may be
40 necessary to satisfy an anticipated restitution order.

3. *Page 2, Lines 55 through 58:*

55 (i) there is ~~[[a substantial likelihood that the state will prevail on the underlying criminal~~
56 ~~charges or allegation of delinquency]] **probable cause to believe that a crime has been committed and**~~
that the defendant committed it, and that failure to enter the order will result in the
57 property being sold, distributed, exhibited, destroyed, or removed from the jurisdiction of the
58 court, or otherwise be made unavailable for restitution; and