

H.B. 26

CRIMINAL RESTITUTION AMENDMENTS

HOUSE FLOOR AMENDMENTS

AMENDMENT 4

JANUARY 26, 2001 8:49 AM

Representative **Allen** proposes the following amendments:

1. Page 10, Line 302
House Committee Amendments
1-18-2001: After "including" insert "prejudgment interest,"
2. Page 11, Line 320
House Committee Amendments
1-18-2001: After "county attorney," insert "municipal attorney,"
3. Page 11, Line 326
House Committee Amendments
1-18-2001: After "county attorney," insert "municipal attorney,"
4. Page 14, Line 404: Ad the end of the line, insert "The prosecutor shall establish the value of the property lost for which restitution will be required."
5. Page 14, Line 408: After line 408, insert:
"(4) During any hearing pursuant to this section, the court shall take into consideration:
(a) the person's need for adequate assets for the care of his family;
and
(b) the person's need for adequate assets to secure bail and legal representation.
(5) Any order issued by the court may not preserve assets in excess of the value established by the prosecutor."
6. Page 14, Lines 409 - 410: Delete lines 409 and 410.
7. Page 16, Lines 479: After "ordering restitution" delete the rest of the line and insert "when recorded in a Registry of Judgments"
8. Page 16, Line 480: Delete "and" at the beginning of the line and after "shall" insert "have the same affect and is subject to the same rules as a

judgment in a civil action.", and delete "be collectable in any manner provided by law."

9. Page 16, Line 481:

After "sentencing" insert ", including prejudgment interest"

10. Page 16, Lines 485 - 486:

Delete lines 485 and 486.