
DIGEST

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Barrow

HB No. 546

Abstract: Provides for a periodic payment plan for an order of restitution for indigent defendants.

Present law requires the court to order a defendant to pay restitution to a crime victim in certain cases.

Proposed law retains present law.

Proposed law further provides that if the defendant is found to be indigent and therefore unable to make restitution in full at the time of conviction, the court may order a periodic payment plan consistent with the person's financial ability.

(Adds C.Cr.P. Art. 883.2(D))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill.

1. Changed the ordering of a payment plan for indigent defendants from mandatory to permissive.
2. Removed the prohibition regarding incarceration for failure to pay restitution.
3. Removed the prohibition on the payment plan exceeding 15% of the offender's income.