

1 State of Arkansas  
2 95th General Assembly  
3 Regular Session, 2025  
4

# A Bill

SENATE BILL 244

5 By: Senator J. Bryant  
6 By: Representative Unger  
7

## For An Act To Be Entitled

8  
9 AN ACT CONCERNING POSTPONEMENT OF JUDGMENT IN  
10 DISTRICT COURT; TO PERMIT A SUSPENDED IMPOSITION OF  
11 SENTENCE IN CERTAIN DISTRICT COURT CASES; AND FOR  
12 OTHER PURPOSES.  
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## Subtitle

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16 CONCERNING POSTPONEMENT OF JUDGMENT IN  
17 DISTRICT COURT; AND TO PERMIT A  
18 SUSPENDED IMPOSITION OF SENTENCE IN  
19 CERTAIN DISTRICT COURT CASES.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code § 5-4-321 is amended to read as follows:

24 5-4-321. Judgment in certain ~~misdemeanor traffic~~ district court cases –  
25 Postponement.

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

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

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



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

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

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

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

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

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

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

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

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

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

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30 **APPROVED: 3/12/25**