State of Arkansas
Department of Finance and Administration
Fiscal Impact Statement

Bill: SB244
Bill Subtitle: CONCERNING POSTPONEMENT OF JUDGMENT IN DISTRICT COURT; AND TO PERMIT A SUSPENDED IMPOSITION OF SENTENCE IN CERTAIN DISTRICT COURT CASES.

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Sponsors:

Sen. Bryant and Rep. Unger

Basic Change:

SB244 amends the circumstances under which a judgment may be postponed in certain district court cases. SB244 provides that a criminal or traffic division of a district court may postpone a judgment for not more than one year. The district court may allow a defendant to withdraw their conditional guilty plea and dismiss the case upon completion of the probationary term and satisfaction of all other orders of the court. Certain defendants are not eligible for a postponement of the judgment:

- The holder of a commercial driver's license or commercial learner's permit, unless the offense was a parking violation, vehicle weight violation, or vehicle defect violation;
- A defendant who is charged with driving under the influence of alcohol or other intoxicating substance; and
- A defendant who is charged with an offense for which probation or postponement of judgment is otherwise prohibited by law.

Fiscal Impact:

None.

Taxpayer Impact:

A defendant that enters a conditional plea of guilty to an eligible offense filed within the criminal or traffic division of a district court may withdraw his or her guilty plea and have the charges dismissed upon successful completion of the defendant's probation.

Resources Required:

None.

Time Required:

Adequate time is provided for implementation.

Procedural Changes:

Training and review sessions will be conducted for State Revenue Office, Office of Driver Services, and Office of Motor Vehicle (DSMV) staff.

Other Comments:

None.

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Legal Analysis:

None.