

House File 608

H-1232

1 Amend House File 608 as follows:

2 1. Page 1, after line 8 by inserting:

3 <Sec. _____. Section 910.1, Code 2013, is amended by
4 adding the following new subsection:

5 NEW SUBSECTION. 1A. "*Insurer*" means an insurance
6 company governed by the provisions of chapter 515,
7 518, or 518A, or a bonding company authorized by the
8 commissioner of insurance.>

9 2. Page 2, by striking lines 8 through 10 and
10 inserting <such payments in an amount which the source
11 of such payments could recover against the offender in
12 a civil action arising out of the same facts or events,
13 subject to the priority of payment provisions in the
14 restitution plan under section 910.2.>

15 3. Page 4, after line 12 by inserting:

16 <Sec. _____. NEW SECTION. 910.16 Civil judgment
17 against offender for restitution to insurer.

18 1. If an offender has fulfilled all conditions of
19 probation or parole, except for payment to an insurer
20 under the plan of restitution, the court shall enter
21 a civil judgment against the offender in favor of the
22 insurer for any amount of restitution remaining unpaid
23 to the insurer under the plan of restitution, prior to
24 discharge from probation or parole. Upon entry of the
25 civil judgment by the court in favor of the insurer,
26 the portion of the restitution payable to the insurer
27 shall be considered paid in full for purposes of the
28 criminal case.

29 2. Upon the expiration of an offender's sentence,
30 if an offender is not placed on probation or parole,
31 the court shall enter a civil judgment against the
32 offender in favor of the insurer in the same manner as
33 subsection 1, for any amount of restitution remaining
34 unpaid to the insurer under the plan of restitution.
35 Upon the entry of the civil judgment, the portion
36 of the restitution payable to the insurer shall be
37 considered paid in full for purposes of the criminal
38 case.>

39 4. Title page, by striking lines 1 and 2 and
40 inserting <An Act relating to restitution to insurers
41 in criminal cases.>

42 5. By renumbering as necessary.

COMMITTEE ON JUDICIARY
BALTIMORE of Boone, Chairperson