

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representative Calhoun**

A Bill ACT 357 OF 1991

HOUSE BILL 1245

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 16-17-111 TO ALLOW CERTAIN
9 MUNICIPALITIES TO USE A PORTION OF THE COURT COST
10 AUTHORIZED UNDER THIS SECTION FOR ANY PURPOSE DEEMED
11 NECESSARY; AND FOR OTHER PURPOSES."

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13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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15 SECTION 1. Arkansas Code 16-17-111 is amended to read as follows:

16 "16-17-111. Additional court costs for municipal court administration.

17 (a) (1) In addition to all other costs provided by law, there may be
18 levied and collected from each defendant upon each plea of guilty or nolo
19 contendere, forfeiture of bond, or determination of guilt for misdemeanors or
20 traffic violations in any municipal, police, or city court a sum not to exceed
21 five dollars (\$5.00).

22 (2) In a municipal court, this additional court cost shall be
23 applied to all such cases regardless of whether the violation occurred within
24 or outside the municipality's boundaries.

25 (3) The additional court cost authorized by this section shall be
26 levied by ordinance of the governing body of the municipality wherein the
27 municipal, police, or city court is located.

28 (b) The moneys collected by the levy of this additional court cost
29 shall be deposited in the appropriate city treasury and shall be expended only
30 when the governing body of the city, in a municipality with a municipal court,
31 and the quorum court of the county enter into an agreement concerning the
32 portion of the court costs to be retained by the municipality and the portion
33 to be received by the county.

34 (c) The funds collected by the additional court cost authorized in this
35 section may be used for any permissible use in the administration of the
36 municipal court including, but not limited to, salaries and cost of

1 incarceration of defendants.

2 (d) The governing body of a municipality, having a population of less
3 than five thousand (5,000) persons according to the most recent federal
4 decennial census, may by ordinance provide for the use of the funds for any
5 other purpose deemed appropriate by the governing body of the municipality.
6 This subsection shall apply only to the balance of the funds retained by the
7 municipality which are in excess of one thousand five hundred dollars
8 (\$1,500)."

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10 SECTION 2. All provisions of this act of a general and permanent nature
11 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
12 Revision Commission shall incorporate the same in the Code.

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14 SECTION 3. If any provision of this act or the application thereof to
15 any person or circumstance is held invalid, such invalidity shall not affect
16 other provisions or applications of the act which can be given effect without
17 the invalid provision or application, and to this end the provisions of this
18 act are declared to be severable.

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20 SECTION 4. All laws or parts of laws in conflict with this act are
21 hereby repealed.

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APPROVED: 3-5-91

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