

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**  
4 **By: Senator Bell**

# A Bill

**ACT 281 OF 1993**  
**SENATE BILL 236**

## For An Act To Be Entitled

8 "AN ACT TO AMEND UNCODIFIED ACT 442 OF 1989 AUTHORIZING  
9 THE LEVY OF ADDITIONAL COURT COSTS TO FUND PUBLIC DEFENDER  
10 PROGRAMS IN COUNTIES MEETING CERTAIN POPULATION  
11 REQUIREMENTS; AND FOR OTHER PURPOSES."

## Subtitle

14 "TO AUTHORIZE THE LEVY OF ADDITIONAL COURT COSTS TO FUND  
15 PUBLIC DEFENDER PROGRAMS IN CERTAIN COUNTIES."

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

19 SECTION 1. Section 2 of uncodified Act 442 of 1989 is amended to read  
20 as follows:

21 "SECTION 2. The additional cost authorized by Section 1 shall not  
22 exceed the sum of Twenty Dollars (\$20.00) and may be set by the quorum court  
23 of said county."

25 SECTION 2. Section 3 of uncodified Act 442 of 1989 is amended to read  
26 as follows:

27 "SECTION 3. The levy authorized herein shall be assessed against and  
28 collected from each defendant upon each judgment of conviction, plea of guilty  
29 or finding of guilt after a plea of nolo contendere or forfeiture for failure  
30 to appear in felony cases, misdemeanor cases, and violation cases including  
31 moving and non-moving traffic violations in all courts within said counties  
32 including but not limited to the Municipal Courts, Circuit Court, Mayor's  
33 Courts, City Courts, and Police Courts within such counties.

35 SECTION 3. All provisions of this act of a general and permanent nature  
36 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code

1 Revision Commission shall incorporate the same in the Code.

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3 SECTION 4. If any provision of this act or the application thereof to  
4 any person or circumstance is held invalid, such invalidity shall not affect  
5 other provisions or applications of the act which can be given effect without  
6 the invalid provision or application, and to this end the provisions of this  
7 act are declared to be severable.

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9 SECTION 5. All laws and parts of laws in conflict with this act are  
10 hereby repealed.

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12 SECTION 6. It is hereby found and determined by the General Assembly  
13 that the quorum court of the counties affected by this act should have the  
14 discretion of establishing a public defender system for such counties, and if  
15 so established, to fund the same by the levy of additional court costs; that  
16 the costs of the Public Defender System should be borne in part by those who  
17 necessitate the establishment and maintenance of the Criminal Justice System;  
18 that adequate funds are not now available to be appropriated for such purposes  
19 and an immediate need exists for payment of the expenses of the Public  
20 Defender System; and that this act is immediately necessary to assure the  
21 effective and efficient administration of justice in the counties in which it  
22 is applicable. Therefore, an emergency is hereby declared to exist and this  
23 act being immediately necessary for the preservation of the public peace,  
24 health and safety shall be in full force and effect from and after its passage  
25 and approval.

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27 APPROVED: 03/01/93

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