

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

A Bill

Act 1425 of 2001
HOUSE BILL 2292

5 By: Representatives Allison, Hausam, Bookout
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For An Act To Be Entitled

9 AN ACT TO AMEND VARIOUS SECTIONS OF THE ARKANSAS
10 SPEED TRAP LAW TO MAKE IT APPLICABLE TO
11 VIOLATIONS OF LOCAL ORDINANCES; AND FOR OTHER
12 PURPOSES.
13

Subtitle

14 AN ACT TO AMEND VARIOUS SECTIONS OF THE
15 ARKANSAS SPEED TRAP LAW TO MAKE IT
16 APPLICABLE TO VIOLATIONS OF LOCAL
17 ORDINANCES.
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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 12-8-403(b) is amended to read as follows:

24 (b) It shall be presumed that the affected municipality is abusing
25 police power upon a finding that:

26 (1) The amount of revenue produced by fines and costs from
27 traffic law violations offenses which are misdemeanors or a violation of
28 state law or local ordinance for which citations were written by the police
29 department of the affected municipality occurring on the affected highways
30 exceeds thirty percent (30%) of the affected municipality's total
31 expenditures, less capital expenditures and debt service, in the preceding
32 year; or

33 (2) More than fifty percent (50%) of the summons written for the
34 traffic offense of speeding which is a misdemeanor or a violation of state
35 law or local ordinance in the affected municipality are written for speed
36 limit violations which were ten miles per hour (10 m.p.h.) or less than the

1 posted limit.

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SECTION 2. Arkansas Code 12-8-404(a)(2) is amended to read as follows:

(2) The prosecuting attorney shall have the power to issue the following sanctions:

(A) Order that a municipality abusing police power ~~shall~~ cease patrolling any or all affected highways; ~~and~~ or

(B) Order that all or any part of future fines and court costs received from traffic law violations or misdemeanor cases where the location of the offense is an affected highway ~~shall~~ be paid over to ~~the county general fund of the county~~ a county fund for the maintenance and operation of the public schools located in the county in which the municipality is located.

APPROVED: 4/9/2001