

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 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: S4/8/03

A Bill

Act 1462 of 2003
HOUSE BILL 2213

5 By: Representative Judy
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7

For An Act To Be Entitled

9 AN ACT TO INCREASE FEES FOR THE ALCOHOLISM
10 EDUCATION OR TREATMENT PROGRAM; AND FOR OTHER
11 PURPOSES.
12

Subtitle

13 AN ACT TO INCREASE FEES FOR THE
14 ALCOHOLISM EDUCATION OR TREATMENT
15 PROGRAM.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 5-65-104(h)(1), concerning the alcohol
22 education program for individuals arrested for driving while intoxicated, is
23 amended to read as follows:

24 (h)(1) Any person whose license is suspended or revoked pursuant to
25 this section shall, unless the charges are dismissed or the person is
26 acquitted of the charges upon which the suspension or revocation is based, be
27 required to complete an alcohol education program as prescribed and approved
28 by the Highway Safety Program or an alcohol treatment program as approved by
29 the Bureau of Alcohol and Drug Abuse Prevention of the Department of Health.
30 ~~The alcohol education program may collect a program fee of up to fifty~~
31 ~~dollars (\$50.00) per enrollee to offset program costs. A person required to~~
32 ~~complete an alcohol education program under this section may be required to~~
33 ~~pay, in addition to the costs collected for education, a fee of up to twenty-~~
34 ~~five dollars (\$25.00) to the alcohol education program to offset the~~
35 ~~additional costs associated with reporting requirements under this~~
36 ~~subchapter. The alcohol education program shall report semiannually to the~~



1 ~~Highway Safety Program all revenue derived from this fee.~~

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3 SECTION 2. Arkansas Code § 5-65-115(a), concerning the alcohol
4 education program for individuals arrested for driving while intoxicated, is
5 amended to read as follows:

6 (a)(1) Any person whose driving privileges are suspended or revoked
7 for violating § 5-65-103 shall, in addition to other penalties provided ~~in~~
8 ~~this chapter~~ by law, be required to complete an alcohol education program as
9 prescribed and approved by the Highway Safety Program or an alcoholism
10 treatment program as approved by the Bureau of Alcohol and Drug Abuse
11 Prevention of the Department of Health.

12 (2)(A) Such alcoholism education program may collect a program
13 fee of up to ~~fifty dollars (\$50.00)~~ seventy-five dollars (\$75.00) per
14 enrollee to offset program costs.

15 (B)(i) A person ordered to complete an alcoholism
16 education program or alcoholism treatment program under this section may be
17 required to pay, in addition to the costs collected for education or
18 treatment, a fee of up to twenty-five dollars (\$25.00) to offset the
19 additional costs associated with reporting requirements under this
20 subchapter.

21 (ii) The alcoholism education program shall report
22 semiannually to the Highway Safety Program all revenue derived from this fee.

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24 SECTION 3. Arkansas Code § 5-65-307(a), concerning the alcohol
25 education program for individuals arrested for driving while intoxicated, is
26 amended to read as follows:

27 (a)(1) Any underage person who has his or her driving privileges
28 suspended, revoked, or denied for violating § 5-65-303, shall, in addition to
29 other penalties provided in this chapter, be required to complete an alcohol
30 and driving education program for underage drivers as prescribed and approved
31 by the Highway Safety *Program* or alcoholism treatment program, or both.

32 (2) The Highway Safety Program shall approve only those programs
33 in alcohol and driving education which are targeted at the underage driving
34 group and are intended to intervene and prevent repeat occurrences of driving
35 under the influence or driving while intoxicated.

36 (3) *The alcohol and driving education program may collect a*

1 program fee of up to ~~fifty dollars (\$50.00)~~ seventy-five (\$75) per enrollee
2 to offset program costs.

3 (4) A person ordered to complete an alcohol and driving
4 education program or an alcoholism treatment program under this section may
5 be required to pay, in addition to the costs collected for the program, a fee
6 of up to twenty-five dollars (\$25.00) to offset the additional costs
7 associated with reporting requirements under this subchapter.

8 (5) An approved alcohol and driving education program shall
9 report semiannually to the Highway Safety Program all revenue derived from
10 these fees.

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12 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the
13 General Assembly of the State of Arkansas that if the fees that are raised by
14 this bill do not become effective by July 1, 2003, there will be a shortfall
15 in the funding needed to maintain the alcoholism education programs; that
16 these programs are mandated by law for those individuals that have their
17 license suspended or revoked following an arrest for driving while
18 intoxicated; and that these programs provide educational instruction and are
19 necessary to protect the public health and welfare.. Therefore, an emergency
20 is declared to exist and this act being necessary for the preservation of the
21 public peace, health, and safety shall become effective on July 1, 2003.

22 /s/ Judy

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25 APPROVED: 4/16/2003
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