

**ARKANSAS SENATE**  
92nd General Assembly - Regular Session, 2019  
**Amendment Form**

JBC 03/26/19 P.M. (1)

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**Subtitle of Senate Bill No. 36**

AN ACT FOR THE ARKANSAS PUBLIC DEFENDER COMMISSION APPROPRIATION FOR THE 2019-2020  
FISCAL YEAR.

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**Amendment No. 2 to Senate Bill 36**

Amend Senate Bill No. 36 as originally introduced:

Delete Section 9 in its entirety and substitute the following:

“ SECTION 9. Arkansas Code § 5-4-303, concerning conditions of suspension or probation for a criminal offense, is amended to add an additional subsection to read as follows:

(i)(1) Unless specified otherwise in subsection (g) of this section and § 16-87-213, the moneys collected by the courts under subsection (g) of this section and § 16-87-213 shall be deposited into the State Treasury to the credit of the State Central Services Fund.

(2) If Arkansas law requires that the fees levied under subsection (g) of this section be deposited into the State Administration of Justice Fund, the Treasurer of State shall transfer the amount of the fees collected each month under subsection (g) of this section from the State Administration of Justice Fund to the State Central Services Fund.”

AND

Delete Section 10 in its entirety and substitute the following:

“ SECTION 10. Arkansas Code § 17-19-301, concerning bail bond premiums, is amended to add an additional subsection to read as follows:

(i)(1) Unless specified otherwise under subsection (e) of this section, the moneys collected by each bail bond company under subsection (e) of this section shall be deposited into the State Treasury to the credit of the Public Defender User Fees Fund within the State Central Services Fund.

(2)(A) Of the fee collected by each licensed professional bail bond company, three dollars (\$3.00) shall be transferred to the various counties for the sole purpose of defraying the operating expenses of the local public defender’s office.

(B) The remaining moneys collected shall be used to defray operating expenses of the Arkansas Public Defender Commission.



(3) On a quarterly basis, the Arkansas Public Defender Commission shall remit to each county its portion of the three dollars (\$3.00) per bail bond fee collected based upon the following formula:

(A) Seventy five percent (75%) of the bail bond fee collected shall be distributed equally to all seventy-five (75) counties; and

(B) The remaining twenty-five percent (25%) of the bail bond fee collected shall be distributed per capita.”

AND

Delete Section 12 in its entirety

AND

Delete Section 14 in its entirety and insert the following:

“ SECTION 14. Arkansas Code § 16-87-203(a), concerning the powers of the Arkansas Public Defender Commission, is amended to add an additional subdivision to read as follows:

(15)(A) To enter into a professional services agreement with a person who is serving as a public defender or employed as an attorney with a state agency when the employee has been appointed to provide defense representation services by a judge.

(B) The total of the professional services agreement and the employee’s salary shall not exceed twenty-five percent (25%) above the maximum of the pay grade of the employee’s position.”

AND

Appropriately renumber Sections of the bill.

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_

By: Joint Budget Committee

By: Representative House

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Secretary