

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**

A Bill

HOUSE BILL

4 **By: Reps. M. Wilson, Givens and Watts**

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED 16-92-116 TO
9 CREATE THE ARKANSAS CITIES ALCOHOL AND DRUG ABUSE AND
10 CRIME PREVENTION PROGRAM AND LEVY AN ADDITIONAL ONE DOLLAR
11 COURT COST; 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 Annotated 16-92-116 is amended to read as
16 follows:

17 "16-92-116. Additional court cost - Disposition and use of funds.

18 (a) It is the purpose and intent of the General Assembly to levy an
19 additional court cost to fund alcohol and drug abuse and crime prevention
20 programs in cities and counties of the state. It is further the intent of the
21 General Assembly that the effectiveness of these programs shall be monitored
22 for the purpose of determining the desirability of continuing the levy of the
23 additional court costs and the operation of the alcohol abuse, drug abuse, and
24 crime prevention programs in the cities and counties of the state.

25 (b) (1) In addition to all other costs provided by law, there shall
26 be taxed and collected the sum of two dollars (\$2.00) from each defendant as
27 costs upon each judgment of conviction, upon each plea of guilty, and each
28 plea of nolo contendere or bond forfeiture in felony and misdemeanor cases and
29 moving traffic violations in circuit courts, justice of the peace courts, and
30 municipal, traffic, police, or city courts. All sheriffs, constables,
31 municipal court clerks, city clerks, or other officers charged by law with the
32 collection of the other costs in any of these cases are required under the
33 same penalties of law to collect the costs taxed and assessed in this section.
34 No officer of any court may make a separate remission of the additional costs
35 taxed by this section.

1 (2) The costs specified in subdivision (1) of this subsection, so
2 taxed and assessed, shall be collected at the time and in the manner as are
3 other costs in such cases.

4 (3) No county, municipality, or town shall be liable for the
5 payment of the costs taxed in subdivision (1) of this subsection in any
6 instance where they are not collected or in any case in which the defendant
7 pays the costs by serving time in a jail, on a county farm, or at any other
8 official place of detention or work.

9 (c) All funds collected pursuant to the additional costs levied in
10 subdivision (b)(1) shall be immediately paid over by the court clerk or the
11 collecting officer to the county treasurer who shall monthly remit the funds
12 to the Department of Finance and Administration. The department shall deposit
13 the funds in the State Treasury as special revenues and shall credit one-half
14 (1/2) of the funds to the Arkansas Counties Alcohol and Drug Abuse and Crime
15 Prevention Program Fund and one-half (1/2) of the funds to the Arkansas Cities
16 Alcohol and Drug Abuse and Crime Prevention Program Fund.

17 (d) The Arkansas Counties Alcohol and Drug Abuse and Crime Prevention
18 Program Fund and the Arkansas Cities Alcohol and Drug Abuse and Crime
19 Prevention Program fund are created on the books of the State Treasurer, the
20 State Auditor, and the Chief Fiscal Officer of the State. They shall be
21 audited by the Legislative Joint Auditing Committee.

22 (e) All funds collected under this section and credited to the Arkansas
23 Counties Alcohol and Drug Abuse and Crime Prevention Program Fund shall be
24 used exclusively for the establishment and operation of alcohol abuse, drug
25 abuse, and crime prevention programs in the cities and counties.

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

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

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SECTION 4. All laws and parts of laws in conflict with this act are hereby repealed.