

As Engrossed: 2/1/91 3/6/91

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representative Mitchum**

A Bill

HOUSE BILL 1429

For An Act To Be Entitled

8 "AN ACT TO AMEND TITLE 5, CHAPTER 65, SUBCHAPTER 1 OF THE
9 ARKANSAS CODE OF 1987 TO PERMIT ALCOHOL TREATMENT PROGRAMS
10 TO CHARGE A PROGRAM FEE TO OFFSET COSTS; AND FOR OTHER
11 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 §5-65-115 is hereby amended to read as
16 follows:

17 "5-65-115. Alcohol treatment or education program.

18 (a) Any person who pleads guilty or nolo contendere, or is found guilty
19 of violating 5-65-103, shall, in addition to other penalties provided herein,
20 be required to complete an alcohol education program as prescribed and
21 approved by the Arkansas Highway Safety Program or an alcoholism treatment
22 program as approved by the Office on Alcohol and Drug Abuse Prevention. Such
23 alcoholism education program may collect a program fee of up to fifty dollars
24 (\$50.00) per enrollee to offset program costs. *A person ordered to complete an*
25 *alcoholism treatment program under this section, may be required to pay, in*
26 *addition to the costs collected for treatment, a fee of up to twenty-five*
27 *dollars (\$25.00) to off-set the additional costs associated with reporting*
28 *requirements under this subchapter. The alcoholism education program shall*
29 *report semi-annually to the Arkansas Highway Safety Program all revenue*
30 *derived from this fee.*

31 (b) Prior to reinstatement of a driver's license suspended or revoked
32 under this act, the driver shall furnish proof of attendance at and completion
33 of the alcoholism treatment or education program.

34 (c) Within six (6) months of the final adjudication of guilt, the
35 driver shall furnish proof of attendance at and completion of the alcoholism

1 treatment or education program. If such proof is not furnished, the driver
2 shall be cited for contempt of court and assessed an additional court cost of
3 two hundred dollars (\$200), with fifty dollars (\$50.00) retained by the
4 municipal court. The remaining moneys received from these additional court
5 costs shall be remitted at least quarterly, by January 1, April 1, July 1, and
6 October 1 to the Director of the Department of Finance and Administration.
7 One-half (1/2) of the moneys so received by the director shall be deposited in
8 the State Treasury to be credited to the Highway Safety Special Fund for use
9 to support programs of the Arkansas Highway Safety Program. The remaining
10 one-half (1/2) of such moneys received by the director shall be deposited in
11 the State Treasury to be credited to the Alcohol and Drug Safety Account to
12 support alcoholism treatment programs of the Arkansas Office on Alcohol and
13 Drug Abuse Prevention."

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

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

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

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/s/T. Mitchum

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