

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

# A Bill

**HOUSE BILL**

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

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## **For An Act To Be Entitled**

8 "AN ACT TO CREATE THE ARKANSAS CITIES ALCOHOL AND DRUG  
9 ABUSE AND CRIME PREVENTION PROGRAM AND LEVY A ONE DOLLAR  
10 (\$1.00) COURT COST; AND FOR OTHER PURPOSES."

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12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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14 SECTION 1. (a) It is the purpose and intent of the General Assembly to  
15 levy an additional court cost to fund alcohol and drug abuse and crime  
16 prevention programs in cities of the state. It is further the intent of the  
17 General Assembly that the effectiveness of these programs shall be monitored  
18 for the purpose of determining the desirability of continuing the levy of the  
19 additional court costs and the operation of the alcohol abuse, drug abuse, and  
20 crime prevention programs in the cities of the state.

21 (b) (1) In addition to all other costs provided by law, there shall be  
22 taxed and collected the sum of one dollar (\$1.00) from each defendant as costs  
23 upon each judgment of conviction, upon each plea of guilty, and each plea of  
24 nolo contendere or bond forfeiture in felony and misdemeanor cases and moving  
25 traffic violations in circuit courts, justice of the peace courts, and  
26 municipal, traffic, police, or city courts. All sheriffs, constables,  
27 municipal court clerks, city clerks, or other officers charged by law with the  
28 collection of the other costs in any of these cases are required under the  
29 same penalties of law to collect the costs taxed and assessed in this section.  
30 No officer of any court may make a separate remission of the additional costs  
31 taxed by this section.

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

35 (3) No county, municipality, or town shall be liable for the

1 payment of the costs taxed in subdivision (1) of this subsection in any  
2 instance where they are not collected or in any case in which the defendant  
3 pays the costs by serving time in a jail, on a county farm, or at any other  
4 official place of detention or work.

5 (c) All funds collected pursuant to the additional costs levied in  
6 subdivision (b)(1) shall be immediately paid over by the court clerk or the  
7 collecting officer to the county treasurer who shall monthly remit the funds  
8 to the Department of Finance and Administration. The department shall deposit  
9 the funds in the State Treasury as special revenues and shall credit the funds  
10 to the Arkansas Cities Alcohol and Drug Abuse and Crime Prevention Program  
11 Fund.

12 (d) The Arkansas Cities Alcohol and Drug Abuse and Crime Prevention  
13 Program Fund is created on the books of the State Treasurer, the State  
14 Auditor, and the Chief Fiscal Officer of the State. It shall be audited by  
15 the Legislative Joint Auditing Committee.

16 (e) All funds collected under this section and credited to the Arkansas  
17 Cities Alcohol and Drug Abuse and Crime Prevention Program Fund shall be used  
18 exclusively for the establishment and operation of alcohol abuse, drug abuse,  
19 and crime prevention programs in the cities.

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

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25 SECTION 3. If any provision of this act or the application thereof to  
26 any person or circumstance is held invalid, such invalidity shall not affect  
27 other provisions or applications of the act which can be given effect without  
28 the invalid provision or application, and to this end the provisions of this  
29 act are declared to be severable.

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

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