

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

# **A Bill**

**HOUSE BILL 1483**

4 **By: Representatives Hutchinson, Fairchild, and Wyrick**

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

8 "AN ACT TO PROVIDE FOR THE CREATION OF THE ARKANSAS POLICE  
9 CHIEF CERTIFICATION AND LAW ENFORCEMENT EDUCATION RESOURCE  
10 CENTER PROGRAMS FUND; TO LEVY AN ADDITIONAL COURT COST OF  
11 ONE DOLLAR (\$1.00) UPON EACH CONVICTION, PLEA OF GUILTY,  
12 PLEA OF NOLO CONTENDERE, OR BOND FORFEITURE, IN EACH  
13 FELONY AND MISDEMEANOR CASE; TO PROVIDE THAT ALL FUNDS  
14 DERIVED FROM THE ADDITIONAL COSTS LEVIED HEREIN SHALL BE  
15 USED TO FUND PROGRAMS FOR MUNICIPALITIES AND TO MAKE  
16 TRAINING AVAILABLE AT NO COST TO POLICE DEPARTMENTS; AND  
17 FOR OTHER PURPOSES."

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

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21 SECTION 1. In addition to all other costs as are now or as may  
22 hereafter be provided by law, there shall be taxed and collected from each  
23 defendant as costs upon each judgement of conviction, upon each plea of  
24 guilty, upon each plea of nolo contendere, upon each bond forfeiture in felony  
25 and misdemeanor cases, and upon each moving traffic violation, in circuit  
26 courts, justice of peace courts, municipal, traffic, police, or mayor's  
27 courts, the sum of one dollar (\$1.00). All sheriffs, constables, municipal  
28 court clerks, city clerks or other officers who are now or may hereafter be  
29 charged by law with the collection of the other costs in any such cases are  
30 hereby required under the same penalties of law to collect the costs herein  
31 taxed and assessed and no officer of any court may make a separate remission  
32 of the additional costs taxed by this act. The foregoing costs, so taxed and  
33 assessed, shall be collected at the time and in the manner as are other costs  
34 in such cases. Provided, that no county, municipality or town shall be liable  
35 for the payment of the costs herein taxed in any instance where they are not

1 collected, or in any case in which the defendant pays the costs by serving  
2 time in a jail, on a county farm, or at any other official place of detention  
3 or work.

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5 SECTION 2. (a) There is hereby created on the books of the State  
6 Treasurer, the State Auditor, and the Chief Fiscal Officer of the State a fund  
7 to be known as the "Arkansas Police Chief Certification and Law Enforcement  
8 Education Resource Center Program Fund". All funds collected pursuant to the  
9 additional costs levied in this act shall be paid over by the court clerk or  
10 the collecting officer to the county treasurer who shall monthly remit the  
11 funds to the Department of Finance and Administration. The Department of  
12 Finance and Administration shall then deposit them in the State Treasury as  
13 special revenues to the credit of the fund created here. All funds collected  
14 under this act and credited to the "Arkansas Police Chief Certification and  
15 Law Enforcement Education Resource Center Program Fund" shall be used  
16 exclusively for the establishment and operation of law enforcement educational  
17 programs offered at no cost to local police agencies throughout the state.  
18 Any monies expended from the fund shall be audited by the Legislative Joint  
19 Auditing Committee.

20 (b) *The Joint Interim Committee on Judiciary shall establish a*  
21 *Subcommittee on Police Chief Fund Oversight to review the expenditure of funds*  
22 *made from the fund and of the type and operation of the programs offered to*  
23 *local police. The Subcommittee shall consist of six (6) members of the Joint*  
24 *Interim Committee, four (4) members from the House, three (3) of whom shall be*  
25 *named by the House Chairman of the Judiciary Committee and one (1) of whom*  
26 *shall be named by the Speaker of the House, and two (2) members from the*  
27 *Senate, one (1) of whom shall be named by the Senate chairman of the Judiciary*  
28 *Committee and one (1) of whom shall be named by the President Pro Tempore.*  
29 *The chairman of the Subcommittee shall be elected by the membership of the*  
30 *Subcommittee. The Subcommittee shall meet at least twice annually to review*  
31 *the expenditure of funds and the type of programs offered for local law*  
32 *enforcement agencies.*

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34 SECTION 3. It is the purpose and intent of the General Assembly to levy  
35 an additional court cost to fund Police Chief Certification and Law  
36 Enforcement Education programs to be provided to local law enforcement

1 agencies and city police departments in the state. It is further the intent  
2 of the General Assembly that the effectiveness of this program shall be  
3 monitored for the purpose of determining the desirability of continuing the  
4 levy of the additional court costs and the operation of the Arkansas Police  
5 Chief Certification and Law Enforcement Education Resource Center Program.  
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7 SECTION 4. All provisions of this act of general and permanent nature  
8 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
9 Revision Commission shall incorporate the same in the Code.  
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11 SECTION 5. If any provisions of this act or the application thereof to  
12 any person or circumstance is held invalid, the invalidity shall not affect  
13 other provisions or applications of the act which can be given effect without  
14 the invalid provisions or application, and to this end the provisions of this  
15 act are declared to be severable.  
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17 SECTION 6. All laws and parts of laws in conflict with this act are  
18 hereby repealed.  
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20 SECTION 7. EMERGENCY. It is hereby found and determined by the  
21 Seventy-Eighth General Assembly of the State of Arkansas that police chiefs  
22 and law enforcement officers are finding it increasingly difficult to maintain  
23 their expertise in new techniques and technologies related to law enforcement,  
24 that it is imperative that the police chiefs and law enforcement officers of  
25 Arkansas receive enhanced and continuing training to maintain their level of  
26 professionalism, and that funds for this type of training are not currently  
27 available from other sources to meet this need. Therefore, in order to meet  
28 this urgent need for continuing and up-to-date training, an emergency is  
29 hereby declared to exist, and this act being necessary for the immediate  
30 preservation of the public peace, health, and safety, shall be in full force  
31 and effect from and after July 1, 1991.

32 /s/ T. Hutchinson et al  
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