

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**  
4 **By: Representative Wallis**

# **A Bill**

**HOUSE BILL 2072**

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

8 "AN ACT TO PROVIDE THAT MUNICIPALITIES ARE RESPONSIBLE FOR  
9 THE COST OF KEEPING THEIR PRISONERS IN A COUNTY JAIL AND  
10 ANY PRISONERS SENTENCED TO COUNTY JAIL; AND FOR OTHER  
11 PURPOSES."

## **Subtitle**

14 "TO PROVIDE THAT MUNICIPALITIES ARE RESPONSIBLE FOR COST  
15 OF KEEPING PRISONERS IN COUNTY JAIL."

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

19 *SECTION 1. Arkansas Code 12-41-506, as amended by Act 516 of 1993, is*  
20 *amended to read as follows:*

21 *"(a) In the absence of an agreement on jail costs between a county and*  
22 *all municipalities having law enforcement agencies in the county, the quorum*  
23 *courts in the various counties in this state may by ordinance establish a*  
24 *daily fee to be charged municipalities for keeping prisoners of municipalities*  
25 *in the county jail. The fee shall be based upon the reasonable expenses which*  
26 *the county incurs in keeping such prisoners in the county jail.*

27 *(b) Municipalities whose prisoners are maintained in the county jail*  
28 *shall be responsible for paying the fee established by the quorum court in the*  
29 *county. When a person is sentenced to a county jail for violating a municipal*  
30 *ordinance, the municipality shall be responsible for paying the fee*  
31 *established by an agreement or ordinance of the quorum court in the county.*  
32 *Municipalities may appropriate funds to assist the county in the maintenance*  
33 *and operation of the county jail. Municipalities operating law enforcement*  
34 *agencies shall adopt state criminal laws by reference.*

35 *(c) Each county sheriff shall monthly bill each municipality for the*

1 cost of keeping prisoners in the county jail. Each sheriff shall monthly  
2 remit to the county treasurer the fees collected under this section and such  
3 fees shall be credited to the county general fund.

4 (d) Counties shall give priority to in-county municipalities over  
5 contracts for out-of-county prisoners."  
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7 SECTION 2. All provisions of this act of a 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 3. If any provision of this act or the application thereof to  
12 any person or circumstance is held invalid, such invalidity shall not affect  
13 other provisions or applications of the act which can be given effect without  
14 the invalid provision or application, and to this end the provisions of this  
15 act are declared to be severable.  
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17 SECTION 4. All laws and parts of laws in conflict with this act are  
18 hereby repealed.  
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20 /s/Rep. Wallis  
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