

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

A Bill

SENATE BILL

For An Act To Be Entitled

8 "AN ACT TO AMEND UNCODIFIED ACT 442 OF 1989 AUTHORIZING
9 THE LEVY OF ADDITIONAL COURT COSTS TO FUND PUBLIC DEFENDER
10 PROGRAMS IN COUNTIES MEETING CERTAIN POPULATION
11 REQUIREMENTS; AND FOR OTHER PURPOSES."

Subtitle

14 "TO AUTHORIZE THE LEVY OF ADDITIONAL COURT COSTS TO FUND
15 PUBLIC DEFENDER PROGRAMS IN CERTAIN COUNTIES."

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

19 SECTION 1. Section 2 of uncodified Act 442 of 1989 is amended to read
20 as follows:

21 "SECTION 2. The additional cost authorized by Section 1 shall not
22 exceed the sum of Twenty Dollars (\$20.00) and may be set by the quorum court
23 of said county."

25 SECTION 2. Section 3 of uncodified Act 442 of 1989 is amended to read
26 as follows:

27 "SECTION 3. The levy authorized herein shall be assessed against and
28 collected from each defendant upon each judgment of conviction, plea of guilty
29 or finding of guilt after a plea of nolo contendere or forfeiture for failure
30 to appear in felony cases, misdemeanor cases, and violation cases including
31 moving and non-moving traffic violations in all courts within said counties
32 including but not limited to the Municipal Courts, Circuit Court, Mayor's
33 Courts, City Courts, and Police Courts within such counties.

35 SECTION 3. All provisions of this act of a general and permanent nature

1 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
2 Revision Commission shall incorporate the same in the Code.

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4 SECTION 4. If any provision of this act or the application thereof to
5 any person or circumstance is held invalid, such invalidity shall not affect
6 other provisions or applications of the act which can be given effect without
7 the invalid provision or application, and to this end the provisions of this
8 act are declared to be severable.

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10 SECTION 5. All laws and parts of laws in conflict with this act are
11 hereby repealed.

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13 SECTION 6. It is hereby found and determined by the General Assembly
14 that the quorum court of the counties affected by this act should have the
15 discretion of establishing a public defender system for such counties, and if
16 so established, to fund the same by the levy of additional court costs; that
17 the costs of the Public Defender System should be borne in part by those who
18 necessitate the establishment and maintenance of the Criminal Justice System;
19 that adequate funds are not now available to be appropriated for such purposes
20 and an immediate need exists for payment of the expenses of the Public
21 Defender System; and that this act is immediately necessary to assure the
22 effective and efficient administration of justice in the counties in which it
23 is applicable. Therefore, an emergency is hereby declared to exist and this
24 act being immediately necessary for the preservation of the public peace,
25 health and safety shall be in full force and effect from and after its passage
26 and approval.

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