

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

As Engrossed: H2/12/97

A Bill

HOUSE BILL 1566

4
5 By: Representative Dietz

For An Act To Be Entitled

9 "AN ACT TO ALLOW COUNTY QUORUM COURTS TO ESTABLISH A DRUG
10 ENFORCEMENT FUND TO BE ADMINISTERED BY THE COUNTY SHERIFF;
11 AND FOR OTHER PURPOSES."

Subtitle

14 "TO ALLOW COUNTY QUORUM COURTS TO
15 ESTABLISH A DRUG ENFORCEMENT FUND TO BE
16 ADMINISTERED BY THE COUNTY SHERIFF."

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

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20 SECTION 1. ESTABLISHMENT OF DRUG ENFORCEMENT FUND.

21 (a) ORDINANCE. Each quorum court may by ordinance establish a Drug
22 Enforcement Fund. The ordinance shall set a maximum amount for the fund, not
23 to exceed ten thousand dollars (\$10,000). The Drug Enforcement Fund shall be
24 administered by the county sheriff in accordance with the provisions and
25 procedures of this act. All funds shall initially be deposited in a Drug
26 Enforcement Fund bank account. The bank account shall be established at a
27 bank located in the State of Arkansas and authorized by law to receive the
28 deposit of public funds.

29 (b) SOURCE OF FUNDS. The source of all funds deposited in the Drug
30 Enforcement Fund shall be funds appropriated by the quorum court. The initial
31 funding and any subsequent reimbursements to the Drug Enforcement Fund shall
32 be appropriated by the quorum court and subject to the normal disbursement
33 procedures required by law. No funds from other sources, including seized
34 property, shall be deposited into the Drug Enforcement Fund.

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36 SECTION 2. RESTRICTIONS ON USE OF FUNDS.

1 (a) Drug Enforcement Funds may only be used for direct expenses
2 associated with the investigation of the criminal drug laws of this state,
3 such as, but not limited to, the purchase of evidence, payment of informants,
4 relocation and/or security of witnesses, emergency supply purchases, and
5 emergency travel expenses.

6 (b) Drug Enforcement Funds may not be used for equipment purchases or
7 leasing, salaries or wages, professional services, training, or any other
8 purpose not directly related to a criminal drug investigation. In addition,
9 these funds may not be used for administrative costs associated with the
10 sheriffs office.

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12 SECTION 3. APPROVAL OF CLAIMS BY COUNTY JUDGE.

13 (a) After a quorum court has approved a proper ordinance establishing a
14 Drug Enforcement Fund, set the maximum amount of the fund, and appropriated
15 funds for the fund, the county judge may approve a county claim for the
16 initial establishment of the Drug Enforcement Fund.

17 (b) If adequate appropriations and funds are available, the Drug
18 Enforcement Fund may be replenished upon presentation and approval of a claim
19 as provided in the normal county disbursement procedures. The total amount of
20 funds held in the Drug Enforcement Fund bank account and cash funds held by
21 the sheriffs office shall not exceed the maximum amount established by the
22 quorum court.

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24 SECTION 4. ACCOUNTING RECORDS.

25 Accounting records shall be maintained by the sheriffs office for the
26 receipt, disbursement, accounting, and documentation of funds according to the
27 written procedures established by the Division of Legislative Audit.

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29 SECTION 5. All provisions of this act of a general and permanent nature
30 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
31 Revision Commission shall incorporate the same in the Code.

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33 SECTION 6. If any provision of this act or the application thereof to
34 any person or circumstance is held invalid, such invalidity shall not affect
35 other provisions or applications of the act which can be given effect without
36 the invalid provision or application, and to this end the provisions of this

1 act are declared to be severable.

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3 SECTION 7. All laws and parts of laws in conflict with this act are
4 hereby repealed.

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/s/Rep. Dietz

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