

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 84th General Assembly  
3 Regular Session, 2003

# A Bill

HOUSE BILL 1986

4  
5 By: Representative Napper  
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7

## For An Act To Be Entitled

8  
9 AN ACT TO INCREASE COURT COSTS; DECLARE AN  
10 EMERGENCY; AND FOR OTHER PURPOSES.  
11

## Subtitle

12  
13 AN ACT TO INCREASE COURT COSTS; DECLARE  
14 AN EMERGENCY.  
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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19 SECTION 1. Arkansas Code § 16-10-305 is amended to read as follows:  
20 16-10-305. Court costs.

21 (a) There shall be levied and collected the following court costs from  
22 each defendant upon each conviction, each plea of guilty or nolo contendere,  
23 or each forfeiture of bond:

24 (1) For misdemeanor or felony violations of state law, excluding  
25 violations of the Omnibus DWI Act, § 5-65-101 et seq., in circuit court, ~~one~~  
26 ~~hundred fifty dollars (\$150)~~ one hundred fifty-five dollars (\$155);

27 (2) For offenses which are misdemeanors or violations of state  
28 law, excluding violations of the Omnibus DWI Act, § 5-65-101 et seq., in  
29 municipal court, ~~one hundred dollars (\$100.00)~~ one hundred five dollars  
30 (\$105);

31 (3) For traffic offenses which are misdemeanors or violations  
32 under state law or local ordinance, excluding violations of the Omnibus DWI  
33 Act, § 5-65-101 et seq., in municipal court, ~~seventy-five dollars (\$75.00)~~  
34 eighty dollars (\$80.00);

35 (4) For nontraffic offenses which are misdemeanors or violations  
36 under local ordinance in municipal, city, or police court, ~~twenty-five~~



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1 ~~dollars (\$25.00)~~ thirty dollars (\$30.00);

2 (5) For violations of the Omnibus DWI Act, § 5-65-101 et seq.,  
3 in circuit court, municipal court, city court, or police court, ~~three hundred~~  
4 ~~dollars (\$300)~~ three hundred five dollars (\$305);

5 (6) For offenses which are misdemeanors or violations under  
6 state law, excluding violations of the Omnibus DWI Act, § 5-65-101 et seq.,  
7 ~~seventy five dollars (\$75.00)~~ eighty dollars (\$80.00) in city court and  
8 police court; and

9 (7) For traffic offenses which are misdemeanors or violations  
10 under state law or local ordinance, excluding violations of the Omnibus DWI  
11 Act, § 5-65-101 et seq., ~~fifty dollars (\$50.00)~~ fifty-five dollars (\$55.00)  
12 in city court and police court.

13 (b)(1) The costs set forth in this section shall be imposed at the  
14 conclusion of any criminal case enumerated in subsection (a) of this section  
15 that does not end in an acquittal, dismissal, or, with the consent of the  
16 prosecution, a nolle prosequi.

17 (2) The costs shall be imposed at the conclusion of cases  
18 involving a suspended or probated sentence even though that sentence may be  
19 expunged or otherwise removed from the defendant's record.

20 (c) No county, municipality, or town shall be liable for the payment  
21 of the costs taxed under this section in any instance where they are not  
22 collected, or in any case in which the defendant pays the costs by serving  
23 time in a jail, on a county farm, or at any other official place of detention  
24 or work.

25 (d) No municipality or county shall authorize and no police court,  
26 city court, municipal court, or circuit court shall assess or collect any  
27 other court costs other than those authorized by this act, unless  
28 specifically provided by state law.

29 (e) This section shall become effective July 1, ~~2001~~ 2003, and the  
30 revised court costs shall be imposed on all cases which come before the court  
31 for final disposition on or after July 1, ~~2001~~ 2003.

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33 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
34 General Assembly of the State of Arkansas that the effectiveness of this act  
35 on July 1, 2003, is essential to the operation of the state court system and  
36 in the event of an extension of the regular session, the delay in the

1 effective date of this act beyond July 1, 2003, could work irreparable harm  
2 upon the proper administration of justice and provision of essential  
3 governmental progress, and that this act is immediately necessary in order to  
4 begin the collection of the additional court costs to coincide with the start  
5 of a new fiscal year. Therefore, an emergency is declared to exist and this  
6 act being necessary for the preservation of the public peace, health, and  
7 safety shall become effective on July 1, 2003.

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