

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 2436

4
5 By: Representative Stovall
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For An Act To Be Entitled

8 AN ACT FOR MUNICIPAL PRISONER HOUSING; AND FOR
9 OTHER PURPOSES.
10

Subtitle

11 THE MUNICIPAL PRISONER HOUSING ACT.
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16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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SECTION 1. Legislative Intent.

18 (a) It is the intention of the Arkansas General Assembly to bring
19 equity into the current system whereby counties are forced to house municipal
20 prisoners without reasonable compensation from the benefiting municipality
21 and to require the entity that stands to receive the misdemeanor fine revenue
22 to pay for the cost of housing the misdemeanor prisoner.

23 (b) Cities and towns may avoid the cost of housing misdemeanants by
24 requiring that the misdemeanor prisoners be prosecuted on a county court
25 docket instead of a city or district court docket.

26 (c) Each city or town may make its own decisions regarding the cost
27 effectiveness of housing prisoners charged with, who plead guilty or nolo
28 contendere to, or who are found guilty of misdemeanor offenses.
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31 SECTION 2. Arkansas Code § 12-41-506(a), concerning the expenses of
32 municipal prisoners held in county jails, is amended to add an additional
33 subdivision to read as follows:

34 (3)(A) For the purposes of this section, "prisoners of municipalities"
35 means persons housed in the county jail by virtue of only pending misdemeanor
36 charges on a city or district court docket whereby the fine revenue that



1 would be owed by the prisoner if he or she pleads guilty or nolo contendere to
2 or is found guilty of a misdemeanor would be paid to the city or the
3 municipality and not to the county.

4 (B) "Prisoners of municipalities" does not include any
5 persons housed in the county jail by virtue of a pending misdemeanor charge
6 that is pending on a county docket of any court whereby the fine revenue that
7 would be owed by the prisoner if he or she pleads guilty or nolo contendere to
8 or is found guilty of a misdemeanor would be paid to a county and not to a
9 city or a municipality.

10 (C) "Prisoners of municipalities" does not include any
11 persons housed in the county jail by virtue of a pending felony charge,
12 whether or not that person is also simultaneously charged with pending
13 misdemeanors or violations.

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15 SECTION 3. Arkansas Code § 12-41-506(b)(2), concerning the expenses of
16 municipal prisoners held in county jails, is amended to read as follows:

17 (2) When a ~~person~~ prisoner of a municipality is sentenced to a
18 county jail for violating a municipal ordinance or a misdemeanor violation,
19 the municipality shall be responsible for paying the fee established by an
20 agreement or ordinance of the quorum court in the county.

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