

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas *As Engrossed: H3/13/19 H3/14/19 H3/25/19*  
2 92nd General Assembly **A Bill**  
3 Regular Session, 2019

SENATE BILL 315

4  
5 By: Senator K. Hammer  
6 *By: Representatives Kelly, Nicks*

7  
8 **For An Act To Be Entitled**

9 AN ACT TO AMEND THE LAW CONCERNING DRIVER'S LICENSE  
10 REINSTATEMENT FEES; AND FOR OTHER PURPOSES.

11  
12  
13 **Subtitle**

14 TO AMEND THE LAW CONCERNING DRIVER'S  
15 LICENSE REINSTATEMENT FEES.

16  
17  
18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

19  
20 SECTION 1. Arkansas Code § 5-65-119(a), concerning the distribution of  
21 *driver's license reinstating fees for driving or boating while intoxicated,*  
22 *is amended to add an additional subdivision to read as follows:*

23 (3) Upon notice to the taxpayer of certification of the intent  
24 to intercept the taxpayer's state income tax refund under § 26-36-301 et  
25 seq., the outstanding fees assessed under this section that are owed by a  
26 taxpayer shall be setoff against the taxpayer's state income tax refund.

27  
28 SECTION 2. Arkansas Code § 26-36-303(1)(A), concerning the definition  
29 of "claimant agency" for state tax refund setoffs, is amended to add an  
30 additional subdivision to read as follows:

31 (xviii) The Office of Driver Services.

32  
33 SECTION 3. Arkansas Code § 26-36-303(2), concerning the definition of  
34 "debt" for state tax refund setoffs, is amended to read as follows:

35 (2) "Debt" means:

36 (A) Any liquidated sum due and owing any claimant agency,



1 which has accrued through contract, subrogation, tort, operation of law,  
2 legal proceeding, or any other legal theory, regardless of whether there is  
3 an outstanding judgment for that sum;

4 (B) Accrued obligations due to an assignment of child  
5 support rights made to the state as a condition of eligibility for welfare  
6 assistance and those which have accrued from contract with the claimant  
7 agency by an individual who is not the recipient of welfare assistance;

8 (C) Money owed to a claimant agency as a result of a  
9 debtor's cashing both the original and the duplicate state warrants;

10 (D) All of the following that are not under appeal:

11 (i) Traffic fines;

12 (ii) Any court-imposed fine or cost, including fines  
13 related to the prosecution of hot checks under the Arkansas Hot Check Law, §  
14 5-37-301 et seq.; ~~and~~

15 (iii) Fees for reinstatement of a driver's license  
16 payable to the Office of Driver Services under § 5-65-119, § 27-16-508, and §  
17 27-16-808; and

18 (iv) Restitution ordered by a circuit, county,  
19 district, or city court related to the violation of any state law;

20 (E) Money owed to a claimant agency for all costs as a  
21 result of the debtor's use of state medical and pharmacy benefits for which  
22 he or she is not entitled;

23 (F) Money owed to a claimant agency for all costs  
24 resulting from an overpayment of wages or salaries, including a lump sum  
25 payment; and

26 (G) Money owed to a claimant agency for all delinquent  
27 taxes, all costs resulting from delinquent taxes, and any penalties assessed  
28 against a delinquent taxpayer under § 26-36-201;

29  
30 SECTION 4. Arkansas Code § 27-16-508(a), concerning the fee for  
31 reinstatement of a driver's license, is amended to read as follows:

32 (a)(1) The Office of Driver Services shall collect a reinstatement fee  
33 of one hundred dollars (\$100) to be multiplied by the number of  
34 administrative orders to suspend, revoke, or cancel a driver's license, other  
35 than orders eligible for reinstatement under § 5-65-119, § 5-65-304, § 5-65-  
36 310, or § 27-16-808 and other than orders entered under § 27-16-909.

