

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

*As Engrossed: H3/1/17*

# A Bill

SENATE BILL 102

5 *By: Senator Flippo*  
6 *By: Representative Ballinger*  
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## For An Act To Be Entitled

9 AN ACT TO CLARIFY THE LAW CONCERNING THE FINES, FEES,  
10 AND COSTS THAT MAY BE ASSESSED FOR A VIOLATION OF THE  
11 MANDATORY SEAT BELT USE LAW; AND FOR OTHER PURPOSES.  
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## Subtitle

15 TO CLARIFY THE LAW CONCERNING THE FINES,  
16 FEES, AND COSTS THAT MAY BE ASSESSED FOR  
17 A VIOLATION OF THE MANDATORY SEAT BELT  
18 USE LAW.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code § 16-10-305(a)(2)-(3), concerning court  
24 costs, is amended to read as follows:

25 (2) In district court, one hundred dollars (\$100) for an offense  
26 that is a misdemeanor or violation of state law, excluding a violation of:

- 27 (A) The Omnibus DWI or BWI Act, § 5-65-101 et seq.;
- 28 (B) The Underage DUI or BUI Law, § 5-65-301 et seq.;
- 29 (C) Section 5-75-101 et seq.;
- 30 (D) Section 27-23-114; ~~or~~
- 31 (E) Section 15-42-127; or
- 32 (F) Section 27-37-701 et seq.;

33 (3) In circuit court or district court, seventy-five dollars  
34 (\$75.00) for a traffic offense that is a misdemeanor or violation under state  
35 law or local ordinance, excluding a violation of:

- 36 (A) The Omnibus DWI or BWI Act, § 5-65-101 et seq.;



- 1 (B) The Underage DUI or BUI Law, § 5-65-301 et seq.;
- 2 (C) Section 5-75-101 et seq.;
- 3 (D) Section 27-23-114; ~~or~~
- 4 (E) Section 15-42-127; or
- 5 (F) Section 27-37-701 et seq.;
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7 SECTION 2. Arkansas Code § 16-17-129, concerning fines to defray the  
8 cost of incarcerating city and county prisoners, is amended to add an  
9 additional subsection to read as follows:

10 (f) This section does not authorize an additional fine for a violation  
11 of § 27-37-701 et seq.

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13 SECTION 3. Arkansas Code § 27-37-706 is amended to read as follows:  
14 27-37-706. *Penalties – Court costs.*

15 (a) ~~Any~~ A person who violates this subchapter ~~shall be~~ is subject to a  
16 fine not to exceed twenty-five dollars (\$25.00).

17 (b) When a person is convicted, pleads guilty, pleads nolo contendere,  
18 or forfeits bond for violation of this subchapter, court costs under § 16-10-  
19 305(a)(7) shall be assessed, but other finer, costs, or fees shall not be  
20 assessed.

21 (c) However, if a person pleads not guilty and the finder of fact  
22 determines the person was in violation of this subchapter, a fee imposed by  
23 ordinance of the county quorum court in accordance with this subchapter may  
24 be assessed in an amount not to exceed thirty dollars (\$30.00) in addition to  
25 the fine and court costs authorized under subsections (a) and (b) of this  
26 section.

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28 /s/Flippo

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