

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

As Engrossed: S3/23/21

A Bill

SENATE BILL 550

5 By: Senator A. Clark
6 By: Representative A. Collins
7

For An Act To Be Entitled

9 AN ACT CONCERNING THE FEE CHARGED FOR A PHONE CALL BY
10 AN INMATE IN A CORRECTIONAL FACILITY; AND FOR OTHER
11 PURPOSES.
12
13

Subtitle

15 CONCERNING THE FEE CHARGED FOR A PHONE
16 CALL BY AN INMATE IN A CORRECTIONAL
17 FACILITY.
18
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. Arkansas Code Title 12, Chapter 29, Subchapter 1, is
23 amended to add an additional section to read as follows:

24 12-29-119. Inmate telephone calls.

25 For an inmate making an intrastate telephone call from a Division of
26 Correction facility or Division of Community Correction facility:

27 (1) The cost per minute shall not be more than the maximum cost
28 per minute of an interstate inmate telephone call as determined by the
29 Federal Communications Commission as of January 1, 2021; and

30 (2) Ancillary service charges shall not be permitted except an
31 ancillary service charge of a type and up to an amount authorized by the
32 Federal Communications Commission for an interstate inmate telephone call as
33 of January 1, 2021.
34

35 SECTION 2. Arkansas Code § 12-41-105 is amended to read as follows:

36 12-41-105. Commissions from ~~prisoner~~ inmate telephone services and



1 profits from ~~prisoner~~ inmate commissary services.

2 (a)(1)(A) Commissions derived from ~~prisoner~~ inmate telephone services,
3 if the inmate telephone service is provided by the county or regional
4 detention facility, and profits earned from ~~prisoner~~ inmate commissary
5 services provided in the various county and regional detention facilities in
6 the state shall be deposited with the county treasurer of the county in which
7 the county or regional detention facility is located, ~~and the~~.

8 (B) The county treasurer shall credit the funds collected
9 under subdivision (a)(1)(A) of this section to the county sheriff's office
10 fund.

11 (2)(A) The county sheriff's office fund is an agency fund
12 defined by the County Financial Management System as a fund used to account
13 for funds held by the county treasurer as an agent for a governmental unit
14 until transferred by check or county court order to the county sheriff or
15 other governmental unit for the intended uses of the funds.

16 (B) The transfer of funds to the county sheriff or other
17 governmental unit under this subsection is not subject to an appropriation by
18 the quorum court or to the county claims process.

19 (3) Arkansas Legislative Audit shall review actions described in
20 this subsection for substantial compliance with this section.

21 (b)(1) Of the commissions and profits deposited into the county
22 sheriff's office fund in each county under subsection (a) of this section,
23 one hundred percent (100%) shall be credited to the county sheriff's office
24 communications facility and equipment fund under § 21-6-307.

25 (2) Each county sheriff's office shall allocate for the
26 maintenance and operation of the county jail up to seventy-five percent (75%)
27 of the commissions and profits deposited into the county sheriff's office
28 communications facility and equipment fund.

29 (c) This section does not apply to funds derived from ~~prisoner~~ inmate
30 telephone services or ~~prisoner~~ inmate commissary services provided in
31 Division of Correction facilities or Division of Community Correction
32 facilities or in municipally owned detention facilities or in county
33 detention facilities in counties with a population of one hundred seventy-
34 five thousand (175,000) or more according to the latest federal decennial
35 census.

36 (d) For an inmate making an intrastate telephone call from a regional

1 or local detention facility:

2 (1) The cost per minute shall be thirty cents (30¢) or no more
3 than the maximum cost per minute of an interstate inmate telephone call as
4 determined by the Federal Communications Commission as of January 1, 2021,
5 whichever is higher; and

6 (2) Ancillary service charges shall not be permitted except an
7 ancillary service charge of a type and up to an amount authorized by the
8 Federal Communications Commission for an interstate inmate telephone call as
9 of January 1, 2021.

10

11

12

/s/A. Clark

13

14

15

APPROVED: 4/13/21

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36