

Act 406 of the 1989 Regular Session.

Act 406

HB1408

By: Representative Fairchild

"AN ACT TO AMEND ARKANSAS CODE ANNOTATED 14-20-102(a) and (b) (1) TO ALLOW CITY, POLICE AND MAYOR'S COURTS TO COLLECT COURT COSTS FOR DEFENSE OF INDIGENTS; AND FOR OTHER PURPOSES."

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

SECTION 1. Arkansas Code Annotated 14-20-102(a) is amended to read as follows:

"(a) The quorum court and municipal governing bodies or any county or municipality included within the judicial districts of the State of Arkansas, by appropriate county and municipal legislation, may provide for the creation of a fund to be used for the sole purpose of paying reasonable and necessary costs incurred in the defense of indigent persons accused of criminal offenses and in the defense of indigent persons against whom involuntary commitment procedures for insanity or alcoholism have been brought, and for representation in civil and criminal matters of persons deemed incompetent by the court due to minority or mental incapacity, which have been brought in any circuit courts, chancery courts, probate courts, municipal courts, city courts, police courts and mayor's courts within the county including, but not limited to, investigative expenses, expert witness fees, and legal fees."

SECTION 2. Arkansas Code Annotated 14-20-102(b) (1) is amended to read as follows:

"(b) (1) Any court desiring to establish such a fund shall have the authority to provide for the payment of a fee, not to exceed the sum of five dollars (\$5.00), to be taxed as costs in each matter, civil or criminal, filed in any circuit, chancery, probate, municipal, city, police or mayor's court within the county. However, no such fees shall be taxed as costs in any action filed in any small claims court."

SECTION 3. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 4. All laws and parts of laws in conflict with this Act are hereby repealed.

APPROVED: March 8, 1989
