

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.

Act 490 of the Regular Session

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

As Engrossed: S3/3/09

A Bill

SENATE BILL 596

5 By: Senator B. Pritchard
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8 **For An Act To Be Entitled**

9 AN ACT REGARDING DRUG COURT COSTS AND FEES; AND
10 FOR OTHER PURPOSES.
11

12 **Subtitle**

13 REGARDING DRUG COURT COSTS AND FEES.
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16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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18 SECTION 1. Arkansas Code § 16-98-304 is amended to read as follows:
19 16-98-304. Cost and fees.

20 (a) The drug court judge may order the offender to pay:

21 (1) Court costs as provided in § 16-10-305;

22 (2) Treatment costs;

23 (3) Drug testing costs;

24 (4) A program user fee ~~not to exceed twenty dollars (\$20.00) per~~
25 ~~month; and;~~

26 (5) Necessary supervision fees, including any applicable
27 residential treatment fees; and

28 (6) Any fees determined or authorized under § 12-27-
29 125(b)(17)(B) or § 16-93-104(a)(1) which are to be paid to the Department of
30 Community Correction.

31 (b)(1) The drug court judge shall establish a schedule for the payment
32 of costs and fees.

33 (2) The cost for treatment, drug testing, and supervision shall
34 be set by the treatment and supervision providers respectively and made part
35 of the order of the drug court judge for payment.



1 (3) ~~User~~ Program user fees shall be set by the drug court judge
2 ~~within the maximum amount authorized by this subsection and payable directly~~
3 ~~to the court clerk for the benefit and administration of the drug court~~
4 ~~program.~~

5 (4) Treatment, drug testing, and supervision costs or fees shall
6 be paid to the respective providers.

7 (5) ~~The court clerk or the designee of the drug court judge~~
8 ~~shall collect all other costs and fees ordered.~~ Fees determined or authorized
9 under § 12-27-125(b)(17)(B) or § 16-93-104(a)(1) shall be paid to the
10 Department of Community Correction.

11 (6)(A) ~~The remaining user fees shall be remitted to the~~
12 ~~Treasurer of State by the court clerk for deposit in the MAGNUM Drug Court~~
13 ~~Fund, which~~ The MAGNUM Drug Court Fund is a special revenue fund created and
14 established on the books of the Treasurer of State, the Auditor of State, and
15 the Chief Fiscal Officer of the State.

16 (B) *The MAGNUM Drug Court Fund shall consist of ~~user fees~~*
17 *~~and any other moneys provided by law.~~*

18 (7)(A) All court costs and program user fees assessed by the
19 drug court judge shall be paid to the court clerk for remittance to the
20 county treasury under § 14-14-1313.

21 (B) All court costs shall be credited to the county
22 administration of justice fund and distributed under § 16-10-307.

23 (C) All program user fees shall be credited to a fund
24 known as the Drug Court Program Fund and appropriated by the quorum court for
25 the benefit and administration of the drug court program.

26 ~~(7)~~(8) Court orders for costs and fees shall remain an
27 obligation of the offender with court monitoring until fully paid.

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29 /s/ B. Pritchard

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31 **APPROVED: 3/19/2009**