

ARKANSAS SENATE

93rd General Assembly - Regular Session, 2021 Amendment Form

Subtitle of Senate Bill No. 544

REQUIRING A PERSON IN THE CUSTODY OF A CORRECTIONAL FACILITY TO USE FUNDS FROM FEDERAL RELIEF OR STIMULUS PROGRAMS TO FIRST PAY OUTSTANDING FINES, FEES, COSTS, OR RESTITUTION; AND TO DECLARE AN EMERGENCY.

Amendment No. 1 to Senate Bill 544

Amend Senate Bill No. 544 as originally introduced:

Delete SECTION 1 in its entirety, and substitute the following:

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

12-29-119. Use of federal relief or stimulus funds to pay outstanding court obligations.

(a) Unless prohibited by federal law, a person who is in the custody of the Department of Corrections for an offense committed in the state who receives any federal relief or stimulus funds from the United States Government is required to first use the federal relief or stimulus funds to pay off existing court fines, fees, costs, or restitution before he or she may use the federal relief or stimulus funds for any other purpose.

(b) If the department is made aware of existing court fines, fees, costs, or restitution owed by a person in its custody who has received funds from the United States Government, the department shall:

(1) Verify the funds received by the person are intended for the person;

(2) Verify the funds received are federal relief or stimulus funds;

(3) Withhold from any federal relief or stimulus funds an amount not to exceed the amount owed for fines, fees, costs, or restitution; and

(4) Forward the withheld federal relief or stimulus funds to the circuit clerk in the county to which existing court fines, fees, costs, or restitution are owed.

(c) It is not the responsibility of the department to search for existing court fines, fees, costs, or restitution owed by a person in its care and custody.

(d) If the department is unable to confirm funds received by a person in its custody are federal relief or stimulus funds, the funds will be deposited into the person's inmate banking account."



AND

Page 2, line 3, delete "financial stimulus or relief" and substitute "relief or stimulus"

AND

Page 2, line 8, delete "financial stimulus or relief" and substitute "relief or stimulus"

AND

Page 2, line 10, delete "financial"

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Rice

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Secretary