

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.

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: H1/19/07 S2/5/07

A Bill

HOUSE BILL 1022

5 By: Representatives Sample, *Dunn, Hall, Saunders, Shelby, Allen, T. Bradford, E. Brown, J. Brown,*
6 *Burkes, Burris, Cheatham, Cook, Cornwell, L. Cowling, Davis, Dickinson, L. Evans, Flowers, Gaskill,*
7 *George, Glidewell, Hoyt, D. Hutchinson, Jeffrey, King, Lovell, Moore, Norton, Overbey, Pate, Patterson,*
8 *Pennartz, Powers, S. Prater, Pyle, Ragland, Reep, Reynolds, J. Roebuck, Stewart, Wagner, Walters,*
9 *Webb, Wells, Woods, Wyatt*
10 By: Senator T. Smith
11
12

For An Act To Be Entitled

13 AN ACT TO IMPOSE A BOOKING AND ADMINISTRATION FEE
14 IN CERTAIN CASES FOR THE SUPPORT OF COUNTY JAILS
15 OR REGIONAL DETENTION FACILITIES; AND FOR OTHER
16 PURPOSES.
17
18

Subtitle

19 AN ACT TO IMPOSE A BOOKING AND
20 ADMINISTRATION FEE IN CERTAIN CASES FOR
21 THE SUPPORT OF COUNTY JAILS OR REGIONAL
22 DETENTION FACILITIES.
23
24
25

26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
27

28 SECTION 1. Arkansas Code § 12-41-505 is amended to read as follows:
29 12-41-505. Expenses and support.

30 (a)(1) Every person who may be committed to the common jail of the
31 county by lawful authority for any criminal offense or misdemeanor, if he or
32 she shall be convicted, shall pay the expenses in carrying him or her to jail
33 and also for his or her support from the day of his or her initial
34 incarceration for the whole time he or she remains there.

35 ~~(b)~~(2) The expenses which accrue shall be paid as directed in
36 the act regulating criminal proceedings.



1 (b)(1) A person convicted of a felony or a Class A misdemeanor shall
2 be assessed a booking and administration fee of twenty dollars (\$20.00).

3 (2)(A) The booking and administration fee described in
4 subdivision (b)(1) of this section shall be assessed upon the conviction of a
5 defendant and included in the judgment of conviction entered by the court.

6 (B) If a court suspends imposition of sentence on a
7 defendant or places him or her on probation and does not enter a judgment of
8 conviction, the court shall impose the booking and administration fee as a
9 cost.

10 (3) The booking and administration fee assessed under
11 subdivision (b)(1) of this section shall be deposited into a special fund
12 within the county treasury to be used exclusively for the maintenance,
13 operation, and capital expenditures of a county jail or regional detention
14 facility.

15 (c) The property of the person shall be subject to the payment of the
16 expenses and the booking and administration fee.
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18 SECTION 2. *EMERGENCY CLAUSE. It is found and determined by the*
19 *General Assembly of the State of Arkansas that county jails and regional*
20 *detention facilities in this state lack sufficient operating funds; that the*
21 *revenue derived as a result of this act will be used exclusively for the*
22 *maintenance, operation, and capital expenditures of county jails and regional*
23 *detention facilities, and that this act is necessary because the immediate*
24 *collection of booking and administration fees will enable county jails and*
25 *regional detention facilities to expedite efforts to increase the efficient*
26 *administration of justice. Therefore, an emergency is declared to exist and*
27 *this act being necessary for the preservation of the public peace, health,*
28 *and safety shall become effective on:*

29 (1) The date of its approval by the Governor;

30 (2) If the bill is neither approved nor vetoed by the Governor,
31 the expiration of the period of time during which the Governor may veto the
32 bill; or

33 (3) If the bill is vetoed by the Governor and the veto is
34 overridden, the date the last house overrides the veto.

35
36 /s/ Sample