

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 87th General Assembly
3 Regular Session, 2009
4

A Bill

HOUSE BILL 2154

5 By: Representative George
6
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For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE § 17-19-301 TO
10 INCREASE THE MINIMUM COMPENSATION FOR GIVING
11 BOND; TO AUTHORIZE ADDITIONAL FEES TO FUND THE
12 PROSECUTING ATTORNEY SUPPORT STAFF FUND; TO
13 CREATE THE PROSECUTING ATTORNEY SUPPORT STAFF
14 FUND; AND FOR OTHER PURPOSES.

Subtitle

15
16 TO AMEND ARKANSAS CODE § 17-19-301 TO
17 INCREASE THE MINIMUM COMPENSATION FOR
18 GIVING BOND AND TO AUTHORIZE ADDITIONAL
19 FEES TO FUND THE PROSECUTING ATTORNEY
20 SUPPORT STAFF FUND.
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23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 17-19-301(b), regarding the minimum
27 compensation for giving bond or property as bail, is amended to read as
28 follows:

29 (b) The minimum compensation for giving bond or depositing money or
30 property as bail on ~~any a~~ bond shall be not less than ~~fifty dollars (\$50.00)~~
31 seventy dollars (\$70.00).
32

33 SECTION 2. Arkansas Code § 17-19-301(e)(1)-(5), regarding the
34 additional fees collected by bail bond companies, is amended to read as
35 follows:

36 (e)(1) In addition to the premiums, compensation, and fees allowed in



1 subsections (a) and (d) of this section, each bail bond company shall charge
2 and collect ~~twenty dollars (\$20.00)~~ forty dollars (\$40.00) as a nonrefundable
3 fee for the Arkansas Public Defender Commission and the Prosecution
4 Coordination Commission.

5 (2)(A) ~~All fees~~ Twenty dollars (\$20.00) of each fee collected
6 shall be forwarded to the ~~commission~~ Arkansas Public Defender Commission for
7 deposit into the Public Defender User Fee Fund.

8 (B) Twenty dollars (\$20.00) of each fee collected shall be
9 forwarded to the Prosecution Coordination Commission.

10 (3)(A) The ~~commission~~ Arkansas Public Defender Commission shall
11 deposit the money collected into the existing account within the State
12 Central Services Fund entitled "Public Defender User Fees", and the
13 Prosecution Coordination Commission shall deposit the money collected into
14 the account within the State Central Services Fund entitled "Prosecuting
15 Attorney Support Staff Fund".

16 (B)(i) Three dollars (\$3.00) of each fee collected under
17 ~~this section~~ (e)(2)(A) of this section shall be remitted to each county in
18 the state to defray the operating expenses of each county's public defender
19 office. This fee shall be remitted only from the Public Defender User Fee
20 Fund.

21 (ii) The ~~commission~~ Arkansas Public Defender
22 Commission shall remit quarterly to each county treasurer the county's
23 portion of the fee collected under this section using the formula for the
24 County Aid Fund under § 19-5-602.

25 (4) The fees collected by the bail bond companies required under
26 this subsection shall be reported and filed with the ~~commission~~ Arkansas
27 Public Defender Commission and the Prosecution Coordination Commission
28 quarterly.

29 (5) A notarized annual reconciliation of all fees collected in
30 the preceding calendar year shall be filed by each bail bond company by
31 February 15 on forms provided by the ~~commission~~ Arkansas Public Defender
32 Commission and the Prosecution Coordination Commission.

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34 SECTION 3. Arkansas Code § 19-5-205(e)(1)(B)(xvi) and (xvii),
35 concerning funds within the State Central Services Fund, are amended to add
36 an additional subdivision to read as follows:

1 (xvi) That portion of nonrefundable fees charged by
2 bail bond companies for the Arkansas Public Defender Commission, § 17-19-
3 301(e); ~~and~~

4 (xvii) The first one hundred thousand dollars
5 (\$100,000) collected in taxes and penalties under § 26-26-1614 and deposited
6 as nonrevenue receipts during each fiscal year for use by the Revenue
7 Division of the Department of Finance and Administration, § 26-26-1616; and

8 (xviii) The Prosecuting Attorney Support Staff Fund
9 to be used to defray the costs associated with funding support staff for
10 prosecuting attorneys.

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12 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the
13 General Assembly of the State of Arkansas that the funding for victim
14 assistance programs are not adequately funded; that the services provided by
15 the prosecuting attorneys and their support staff for victim assistance has
16 continued to grow; that other funding sources are not available; and that
17 this act is immediately necessary to ensure the continued services for
18 victims of crimes in Arkansas. Therefore, an emergency is declared to exist
19 and this act being necessary for the preservation of the public peace,
20 health, and safety shall become effective on July 1, 2009.

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