

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

HOUSE BILL 1782

5 By: Representative Capp
6

For An Act To Be Entitled

8 AN ACT CONCERNING COURT COSTS AND FEES FOR SPECIALTY
9 COURT IN THE STATE'S DISTRICT COURTS; AND FOR OTHER
10 PURPOSES.
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Subtitle

12 CONCERNING COURT COSTS AND FEES FOR
13 SPECIALTY COURT IN THE STATE'S DISTRICT
14 COURTS.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code Title 16, Chapter 10, Subchapter 1, is
22 amended to add an additional section to read as follows:

23 16-10-141. District court costs and fees – Specialty courts.

24 (a) As used in this section, "specialty court program" means the same
25 as defined in § 16-10-139.

26 (b) A district court judge presiding over a specialty court program
27 that has been approved by the Supreme Court may order the offender to pay:

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

29 (2) Treatment costs;

30 (3) Drug testing costs;

31 (4) A local specialty court program user fee;

32 (5) Necessary supervision fees, including any applicable
33 residential treatment fees;

34 (6) Global Positioning System monitoring costs; and

35 (7) Continuous alcohol monitoring fees.

36 (c)(1) The district court judge presiding over a specialty court



1 program shall establish a schedule for the payment of specialty court program
2 costs and fees.

3 (2) The costs for treatment, drug testing, continuous alcohol
4 monitoring and supervision shall be set by the treatment and supervision
5 providers and made part of the order of the district court judge presiding
6 over a specialty court program for payment.

7 (3) Specialty court program user fees shall be set by the
8 district court judge presiding over a specialty court program.

9 (4) The costs for treatment, drug testing, continuous alcohol
10 monitoring, and supervision shall be paid to the respective providers.

11 (5)(A) Court costs and local specialty court program user fees
12 assessed by the district court judge presiding over the specialty court
13 program shall be paid to the county, town, or city official, agency, or
14 department that is primarily responsible for the collection of fines assessed
15 by the district court under § 16-13-709 for remittance into a local fund
16 entitled the District Court Specialty Court Program Fund.

17 (B) Installment payments shall be considered a payment
18 toward court costs under § 16-10-305 until the court costs have been
19 collected in full.

20 (C) Any remaining payments representing collections of
21 other fees and costs as authorized in this section shall be remitted by the
22 tenth day of each month to the city treasurer of the city in which the
23 district court is located to be deposited into the District Court Specialty
24 Court Program Fund.

25 (D) A district court that is funded solely by the county
26 shall remit all remaining funds by the tenth day of each month to the county
27 treasurer of the county in which the district court is located to be
28 deposited into the District Court Specialty Court Program Fund.

29 (E) Expenditures from the District Court Specialty Court
30 Program Fund shall require the approval of the district court judge presiding
31 over the specialty court program and shall be authorized and paid by law
32 concerning the appropriation and payment of county or municipal expenditures
33 by the governing body or, if applicable, governing bodies, that contribute to
34 the expenses of the district court.

35 (F)(i) Expenditures from the District Court Specialty
36 Court Program Fund shall be used solely for the support, benefit, and

1 administration of the specialty court program.

2 (ii) Expenditures may be made for indirect expenses
3 related to the specialty court program, including training and travel
4 expenses, program user incentives, graduation costs, and supplies.

5 (6) Court orders for costs and fees shall remain an obligation
6 of the offender and shall be monitored by the district court until fully
7 paid.

8 (c) A grant awarded to a specialty court program presided over by a
9 district court judge, as well as all memorials, honorariums, and other
10 monetary gifts to the specialty court program shall be deposited into the
11 District Court Specialty Court Program Fund.

12 (d) A fee or costs under this section may be waived in whole or in
13 part if the court finds that the person subject to paying the cost or fee is
14 indigent.

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