

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

A Bill

SENATE BILL 575

5 By: Senators Flippo, Rice, B. Johnson
6

For An Act To Be Entitled

8 AN ACT CONCERNING THE FINES, FEES, AND COSTS THAT MAY
9 BE ASSESSED FOR CERTAIN VIOLATIONS; AND FOR OTHER
10 PURPOSES.
11

Subtitle

12 CONCERNING THE FINES, FEES, AND COSTS
13 THAT MAY BE ASSESSED FOR CERTAIN
14 VIOLATIONS.
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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 § 16-10-305(a), concerning court costs, is
22 amended to read as follows:

23 (a) There shall be levied and collected the following court costs from
24 each defendant upon each conviction, each plea of guilty or nolo contendere,
25 or each forfeiture of bond:

26 (1) In circuit court, one hundred fifty dollars (\$150) for a
27 misdemeanor or felony violation of state law, excluding a violation of:

28 (A) The Omnibus DWI or BWI Act, § 5-65-101 et seq.;

29 (B) The Underage DUI or BUI Law, § 5-65-301 et seq.;

30 (C) Section 5-75-101 et seq.;

31 (D) Section 27-23-114; ~~or~~

32 (E) Section 15-42-127; or

33 (F) Sections 27-22-103, 27-22-104, 27-22-111, and 27-37-
34 701 et seq.;

35 (2) In district court, one hundred dollars (\$100) for an offense
36 that is a misdemeanor or violation of state law, excluding a violation of:



- 1 (A) The Omnibus DWI or BWI Act, § 5-65-101 et seq.;
- 2 (B) The Underage DUI or BUI Law, § 5-65-301 et seq.;
- 3 (C) Section 5-75-101 et seq.;
- 4 (D) Section 27-23-114; ~~or~~
- 5 (E) Section 15-42-127; or
- 6 (F) Sections 27-22-103, 27-22-104, 27-22-111, and 27-37-
- 7 701 et seq.;

8 (3) In circuit court or district court, seventy-five dollars
 9 (\$75.00) for a traffic offense that is a misdemeanor or violation under state
 10 law or local ordinance, excluding a violation of:

- 11 (A) The Omnibus DWI or BWI Act, § 5-65-101 et seq.;
- 12 (B) The Underage DUI or BUI Law, § 5-65-301 et seq.;
- 13 (C) Section 5-75-101 et seq.;
- 14 (D) Section 27-23-114; ~~or~~
- 15 (E) Section 15-42-127; or
- 16 (F) Sections 27-22-103, 27-22-104, 27-22-111, and 27-37-
- 17 701 et seq.;

18 (4) In district court, for a nontraffic offense that is a
 19 misdemeanor or violation under local ordinance, twenty-five dollars (\$25.00);

20 (5) In circuit court or district court, three hundred dollars
 21 (\$300) for violations of:

- 22 (A) The Omnibus DWI or BWI Act, § 5-65-101 et seq.;
- 23 (B) The Underage DUI or BUI Law, § 5-65-301 et seq.;
- 24 (C) Section 5-75-101 et seq.;
- 25 (D) Section 27-23-114; or
- 26 (E) Section 15-42-127; and

27 (6) ~~{Repealed.}~~

28 ~~(7)(6)(A)~~ (A) In circuit court or district court, twenty-five
 29 dollars (\$25.00) for a violation of the mandatory seat belt use law, § 27-37-
 30 701 et seq., ~~and for~~

31 (B) A defendant is not required to pay the court costs
 32 under subdivision (a)(6)(A) of this section if he or she pays the applicable
 33 finer under § 27-37-706 and § 16-17-129, if applicable, before his or her
 34 first appearance and shall not be assessed any additional court costs
 35 associated with the violation; and

36 (7) In circuit court or district court, twenty-five dollars

1 (\$25.00) for failure to present proof of insurance at the time of a traffic
2 stop, §§ 27-22-103, 27-22-104, and 27-22-111.

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4 SECTION 2. Arkansas Code § 27-37-706 is amended to read as follows:
5 27-37-706. Penalties – Court costs.

6 (a)~~(1) Any~~ A person who violates this subchapter shall be subject to a
7 fine not to exceed twenty-five dollars (\$25.00), unless a local fine under §
8 16-17-129 has also been provided for by law.

9 (2) A person who chooses pays the fine under this section and §
10 16-17-129, if applicable, before his or her first appearance under this
11 subsection is considered having pleaded nolo contendere to the violation.

12 (b) ~~When a person~~ A person who does not plea nolo contendere to a
13 violation of this section by paying the fine under this section and § 16-17-
14 129, if applicable, before his or her first appearance but who, after his or
15 her first appearance, is convicted, pleads guilty, pleads nolo contendere, or
16 forfeits bond for violation of this subchapter, is responsible for court
17 costs under § 16-10-305 shall be assessed, but ~~other~~ is not subject to
18 additional costs or fees ~~shall not be assessed.~~