

**ARKANSAS SENATE**  
90th General Assembly - Regular Session, 2015  
**Amendment Form**

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**Subtitle of Senate Bill No. 424**

TO AMEND THE LAW CONCERNING THE COMMISSIONS DERIVED FROM CERTAIN PRISONER  
SERVICES.

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**Amendment No. 1 to Senate Bill No. 424**

Amend Senate Bill No. 424 as originally introduced:

Page 1, line 23, delete "services" and substitute "service profits"

AND

Page 1, line 25, delete "(a) Commissions" and substitute "(a)(1)  
Commissions"

AND

Page 1, line 25, delete "and prisoner" and substitute "and profits earned  
from prisoner"

AND

Page 1, line 27, delete "into the county treasury" and substitute "~~into the  
county treasury~~ with the county treasurer"

AND

Page 1, line 28, delete "located and shall be credited" and substitute  
"located, and the county treasurer shall be credited credit the funds"

AND

Page 1, delete line 29, and substitute the following:  
"the county sheriff's office fund.

(2)(A) The county sheriff's office fund is an agency fund  
defined by the County Financial Management System as a fund used to account  
for funds held by the county treasurer as an agent for a governmental unit  
until transferred by check or county court order to the county sheriff for  
the intended uses of the funds.

(B) As an agency fund, the transfer of funds is not



subject to an appropriation by the quorum court or to the county claims process.

(3) The Division of Legislative Audit shall establish procedures to ensure compliance with this section."

AND

Page 1, line 30, delete "commissions deposited" and substitute "commissions and profits deposited"

AND

Page 1, line 33, delete "fund." and substitute "fund under § 21-6-307."

AND

Page 1, line 34, delete "may" and substitute "may shall"

AND

Page 1, line 35, delete "fifty percent (50%)" and substitute "~~fifty percent (50%)~~ seventy-five percent (75%)"

AND

Page 1, line 36, delete "commissions deposited" and substitute "commissions and profits deposited"

AND

Page 2, delete line 8, and substitute the following:  
"decennial census.

SECTION 2. Arkansas Code § 14-25-112, concerning accounting responsibilities of a sheriff under the Arkansas County Accounting Law of 1973, is amended to add additional subsections to read as follows:

(f) The sheriff shall provide a copy of the reconciled cash disbursements journal and a copy of the reconciled cash receipts journal to the county treasurer by the tenth day of each calendar month for the county sheriff's communications facility and equipment fund or other fund that may not be on the books of the county treasurer.

(g) The Division of Legislative Audit shall establish procedures to ensure compliance with this section.

SECTION 3. Arkansas Code § 21-6-307(b)(2)(C), concerning sheriff fees, is amended to read as follows:

(C) All sums paid into the communications facility and equipment fund by the sheriff may accumulate as to principal and interest until such time as the deposits or a portion thereof are needed by the sheriff to:

- (i) Train operations staff;
- (ii) Operate, equip, repair, or replace existing

communications equipment;

(iii) Purchase additional communications equipment;

or

(iv) Otherwise improve a communications facility or system for the sheriff's department; or

(v) Purchase vehicles, weapons, or other equipment for the sheriff's department.

SECTION 4. Arkansas Code § 21-6-310(a)(2), concerning disposition of funds, is amended to read as follows:

(2) Inmate commissary trust ~~accounts~~ account balances belonging to the inmate and held by the county sheriff are not deemed county funds and are not subject to this section.

SECTION 5. Arkansas Code § 26-39-201(a)(2), concerning the time for payment, is amended to read as follows:

(2) Inmate commissary trust ~~accounts~~ account balances belonging to the inmate and held by the county sheriff are not deemed county funds and are not subject to this section.

SECTION 6. Effective date. This act is effective on and after January 1, 2016."

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

By: Senator B. Johnson

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Secretary