

Hall of the House of Representatives

90th General Assembly - Regular Session, 2015

Amendment Form

Subtitle of Senate Bill No. 886

TO ESTABLISH ACCOUNTING MEASURES FOR FINES, COSTS, FEES, AND RESTITUTION ASSESSED
BY THE CIRCUIT COURT IN A CRIMINAL CASE.

Amendment No. 1 to Senate Bill No. 886

Amend Senate Bill No. 886 as engrossed, (version: 03/18/2015 11:27:46 AM):

Page 1, delete lines 33 through 36, and substitute the following:

"(2) The circuit clerk or other county official, agency, department, or private contractor authorized to collect the fines under § 16-13-709(a)(1)(A)(i) shall record the fines assessed by the circuit court in an automated database."

AND

Page 2, delete lines 1 through 4

AND

Page 2, delete line 15, and substitute the following:

"(d)(1) Unless the receipting system is electronic, a prenumbered manual receipt is required for all moneys"

AND

Page 2, delete lines 21 and 22, and substitute the following:

"shall be furnished and shall be made available for inspection;"

AND

Page 2, line 34, delete "manual"

AND

Page 2, delete line 36, and substitute the following:

"indicate the method of payment, such as cash, check, money order, credit card, debit card, or cashier's check."

AND



Page 3, delete line 1

AND

Page 3, line 8, delete "manual"

AND

Page 3, line 10, delete "manual"

AND

Page 3, delete lines 18 through 20, and substitute the following:

"(A) Indicate the prenumbered receipt number, prenumbered receipt date, defendant's name, amount of the fine payment listed on the prenumbered receipt, and classification of the prenumbered receipt;"

AND

Page 3, delete lines 34 through 36

AND

Page 4, delete lines 1 through 19

AND

Page 4, delete lines 22 through 36, and substitute the following:

"(a) A circuit court clerk or other person authorized to collect the fines under § 16-13-709(a)(1)(A)(i) that does not already record fine assessment and collection data in an electronic database shall by October 1, 2015, have entered fine assessment and collection data for at least twenty-five percent (25%) of all circuit court cases since January 1, 2000, for which court records are still available in which the circuit court assessed a fine as a condition of a person's sentence.

(b) A circuit court clerk or other person authorized to collect the fines under § 16-13-709(a)(1)(A)(i) that does not already record fine assessment and collection data in an electronic database shall by January 1, 2016, have entered fine assessment and collection data for at least fifty percent (50%) of all circuit court cases since January 1, 2000, for which court records are still available in which the circuit court assessed a fine as a condition of a person's sentence.

(c) A circuit court clerk or other person authorized to collect the fines under § 16-13-709(a)(1)(A)(i) that does not already record fine assessment and collection data in an electronic database shall by April 1, 2016, have entered fine assessment and collection data for at least seventy-five percent (75%) of all circuit court cases since January 1, 2000, for which court records are still available in which the circuit court assessed a fine as a condition of a person's sentence.

(d) A circuit court clerk or other person authorized to collect the fines under § 16-13-709(a)(1)(A)(i) that does not already record fine

assessment and collection data in an electronic database shall by July 1, 2016, have entered fine assessment and collection data for all circuit court cases since January 1, 2000, for which court records are still available in which the circuit court assessed a fine as a condition of a person's sentence."

AND

Page 5, delete lines 1 through 16

AND

Page 5, delete lines 21 through 36, and substitute the following:

"(b) The Circuit Court Accounting and Fine Collection Committee shall consist of the following members, with the members under subdivisions (b)(3)-(7) of this section to be appointed by the Governor:

(1) The Director of the Administrative Office of the Courts who shall serve as chair;

(2) The Director of the Department of Community Correction or his or her designee;

(3) A prosecuting attorney recommended by the Prosecutor Coordinator;

(4) A public defender recommended by the Executive Director of the Arkansas Public Defender Commission;

(5) Two (2) circuit court clerks recommended by the Arkansas Circuit Clerks Association;

(6) One (1) county sheriff recommended by the Arkansas Sheriff's Association; and

(7) One (1) representative of the Association of Arkansas Counties."

AND

Page 6, delete line 1

AND

Page 6, delete lines 21 through 30, and substitute the following:

"(j) The Circuit Court Accounting and Fine Collection Committee is established to:

(1) Promote collaboration and provide recommendations to the General Assembly on issues involving circuit court clerk accounting practices and the assessment and collection of circuit court fines;

(2) Establish strict guidelines and timetables for each judicial district's implementation of an automated circuit court fine, fee, and restitution collection system for those judicial districts that are not already automated; and

(3) Study the use, effectiveness, and cost of various automated fine, fee, and restitution systems used by different judicial districts.

(k) The Circuit Court Accounting and Fine Collection Committee shall submit a report of any of the committee's findings to the Chair of the House Committee on City, County, and Local Affairs, to the Chair of the Senate

Committee on City, County, and Local Affairs, and to the Legislative Council no later than December 31, 2016.

(l) Arkansas Legislative Audit shall be given prior notice of any meeting of the Circuit Court Accounting and Fine Collection Committee and is permitted to attend in order to offer assistance.

(m) The Circuit Court Accounting and Fine Collection Committee shall cease to exist on December 31, 2016."

The Amendment was read _____

By: Representative Ballinger
BPG/LNS - 03-27-2015 09:45:15
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Chief Clerk