

State of Arkansas

76th General Assembly

Regular Session, 1987

AS ENGROSSED 4/3/87

HOUSE BILL

1321

By: Rep. Calhoun

"AN ACT TO AMEND SECTION 3 OF ACT 860 OF 1983 [ARK. STATS. 22-706.9] TO CLARIFY THE METHOD OF DISTRIBUTION OF THE ADDITIONAL COURT COSTS LEVIED THEREIN FOR THE ADMINISTRATION OF JUSTICE BY AUTHORIZING THE GOVERNING BODY OF THE LEVYING MUNICIPALITY AND THE QUORUM COURT OF THE COUNTY TO DETERMINE THE PORTION THEREOF BE RETAINED BY THE CITY AND THE PORTION TO BE RECEIVED BY THE COUNTY; TO AUTHORIZE COUNTIES TO RETAIN ANY AMOUNT OF SUCH FUNDS HERETOFORE RECEIVED; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. It is hereby found and determined by the General Assembly that Act 860 of 1983 which provided for the levy of an additional court cost to be used for the administration of justice did not specifically state the manner in which funds derived from such cost were to be allocated to the city and the county; that some municipalities have been distributing a portion of such cost to the county in which the court is located while others have not and that such Act should be clarified to permit the governing body of the levying municipality in the county and the quorum court of the county to enter into an agreement concerning distribution of such funds.

SECTION 2. Section 3 of Act 860 of 1983, the same being Arkansas Statutes 22-706.9, is hereby amended to read as follows:

"Section 3. In addition to all other costs now or as may hereafter be provided by law, and may be levied and collected from each defendant upon each plea of guilty, nolo contendere, forfeiture of bond, or determination of guilty for misdemeanors or traffic violations in any municipal court or city court a sum not to exceed three dollars (\$3.00). Provided, the additional

court cost authorized by this Act shall be levied by ordinance of the governing body of the municipality wherein such municipal court or city court is located. The governing body of the levying municipality and the quorum court of the county in which the municipality is located are hereby authorized to enter into an agreement concerning the portion of such court cost to be retained by the municipality and the portion to be received by the county. Provided, all funds derived from such court cost shall be used by the municipality and the county solely for the administration of justice."

SECTION 3. A county may retain any funds it received before the effective date of this Act from an additional court cost levied pursuant to Section 3 of Act 860 of 1983.

SECTION 4. All laws and parts of laws in conflict with this Act are hereby repealed.

/s/ Rep. Calhoun

