

State of Arkansas

76th General Assembly

Regular Session, 1987

AS ENGROSSED 2/10/87

HOUSE BILL 1494

By: Representatives Hawkins, Shaver and Foster

AS ENGROSSED 2/16/87

"AN ACT TO LEVY AN ADDITIONAL COURT COST OF ONE DOLLAR UPON EACH CONVICTION, PLEA OF GUILTY, PLEA OF NOLO CONTENDERE, OR BOND FORFEITURE, IN EACH FELONY AND MISDEMEANOR CASE; TO PROVIDE THAT ALL FUNDS DERIVED FROM THE ADDITIONAL COSTS LEVIED HEREIN SHALL BE USED TO FUND ALCOHOL, DRUG ABUSE AND CRIME PREVENTION PROGRAMS IN THE COUNTIES; AND FOR OTHER PURPOSES."

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

SECTION 1. In addition to all other costs as are now or as may hereafter be provided by law, there shall be taxed and collected from each defendant as costs upon each judgment of conviction, upon each plea of guilty and each plea of nolo contendere or bond forfeiture in felony and misdemeanor cases and moving traffic violations, in circuit courts, justice of peace courts, municipal, traffic, police, or mayor's courts, the sum of one dollar (\$1.00); and all sheriffs, constables, municipal court clerks, city clerks or other officers who are now or may hereafter be charged by law with the collection of the other costs in any such cases are hereby required under the same penalties of law to collect the costs herein taxed and assessed and no officer of any court may make a separate remission of the additional costs taxed by this Act. The foregoing costs, so taxed and assessed, shall be collected at the time and in the manner as are other costs in such cases. Provided, that no county, municipality or town shall be liable for the payment of the costs herein taxed in any instance where they are not collected, or in any case in which the defendant pays the costs by serving time in a jail, on a county farm, or at any other official place of detention or work.

SECTION 2. All funds collected pursuant to the additional costs levied

herein shall be forthwith paid over by the court clerk or the collecting officer to the county treasurer who shall monthly remit said funds to the Department of Finance and Administration who shall deposit the same in the State Treasury as special revenues and shall credit the same to the "Arkansas Counties Alcohol and Drug Abuse and Crime Prevention Program Fund", which is hereby created on the books of the State Treasurer, the State Auditor, and the Chief Fiscal Officer of the State and which shall be audited by the Legislative Joint Auditing Committee.

SECTION 3. All funds collected under this Act and credited to the "Arkansas Counties Alcohol and Drug Abuse and Crime Prevention Program Fund" shall be used exclusively for the establishment and operation of alcohol, drug abuse and crime prevention programs in the counties.

SECTION 4. It is the purpose and intent of the General Assembly to levy an additional court cost to fund alcohol and drug abuse and crime prevention programs in counties of the State. It is further the intent of the General Assembly that the effectiveness of such programs shall be monitored for the purpose of determining the desirability of continuing the levy of the additional court costs and the operation of the alcohol, drug abuse and crime prevention programs in the counties of the State.

SECTION 5. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 6. EMERGENCY. It is hereby found and determined by the General Assembly that the appropriation Act accompanying this Act goes into effect on July 1, 1987; that this Act should go into effect on the same date as the companion appropriation Act and that unless this emergency clause is adopted, this Act may not go into effect until after July 1, 1987. Therefore, an emergency is hereby declared to exist and this Act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1987.

/s/ B. Hawkins et al

