

State of Arkansas

76th General Assembly

Regular Session, 1987

HOUSE BILL 1652

By: Representatives Sanson and Stephens

"AN ACT TO AMEND SECTIONS 1 AND 2 OF ACT 979 OF 1981, WHICH
CREATES A FUND TO PAY THE COST OF DEFENDING INDIGENT ACCUSED
WITHIN THE 20th JUDICIAL DISTRICT; AND FOR OTHER PURPOSES."

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

SECTION 1. Section 1 of Act 979 of 1981 is hereby amended to read as follows:

"Section 1. The quorum court of any county included within the 20th Judicial District and the 20th Chancery District may by appropriate county legislation provide for the creation of a fund to be used for the sole purpose of paying reasonable and necessary costs incurred in the defense of indigent persons accused of criminal offenses and in the defense of indigent persons against whom involuntary commitment procedures for insanity or alcoholism have been brought in any Circuit Courts, Probate Courts, Municipal Courts, Justice of the Peace Courts, Traffic Courts, Police Courts, and Mayor's Courts within such county, including but not limited to investigative expenses, expert witness fees, and legal fees."

SECTION 2. Section 2 of Act 979 of 1981 is hereby amended to read as follows:

"Section 2. Any such quorum court desiring to establish such a fund shall have the authority to provide for the payment of a fee, not to exceed the sum of \$5.00, to be taxed as costs in each matter, civil or criminal, filed in any Circuit, Chancery, Probate, Municipal, Justice of the Peace, Traffic, Police, or Mayor's Court within said county, provided, however, no such fees shall be taxed as costs in any action filed in any small claims court. Expenditures from such fund shall be made in the manner and amounts prescribed by the quorum court desiring to enact such legislation."

SECTION 3. EMERGENCY. It is hereby found and determined by the General Assembly that Act 979 of 1981 authorized the imposition of a fee upon costs to be levied on cases filed in the circuit, chancery, probate, and municipal courts within the 20th Judicial Circuit, for the purpose of providing monies for paying reasonable and necessary costs incurred in the defense of indigent persons accused of criminal offenses, and the defense of indigent persons against whom involuntary commitment procedures for insanity or alcoholism have been brought in any of said courts; that said Act 979 did not provide for the collection of such fees in cases filed in justice of the peace courts, traffic courts, police courts, and mayor's courts within said judicial circuit; that due to anticipated increase in the caseload of juvenile matters formerly tried in the juvenile court, being tried in the circuit and probate courts, additional funds will be needed to defray the cost of such caseload, and that the immediate passage of this Act is necessary to provide such additional funds, by the imposition of costs on cases filed in justice of the peace courts, traffic courts, police courts, and mayor's courts within the 20th Judicial Circuit. Therefore, an emergency is hereby declared to exist and this Act, being immediately necessary for the preservation of the public peace, health, and safety, shall be in full force and effect from and after its passage and approval.

