

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

SENATE BILL

419

By: Senators Hardin and Bookout

For An Act To Be Entitled

"AN ACT TO LEVY AN ADDITIONAL COURT COST OF ONE HUNDRED DOLLARS (\$100.00) IN ANY CASE IN WHICH A PERSON PLEADS GUILTY OR NOLO CONTENDERE OR IS FOUND GUILTY OF DRIVING WHILE INTOXICATED OR DRIVING WHILE IMPAIRED; TO PROVIDE THAT FUNDS DERIVED FROM THE ADDITIONAL COST LEVIED HEREIN SHALL BE DEPOSITED IN THE CITY GENERAL FUND IF THE ARREST IS MADE IN A CITY BY A MUNICIPAL LAW ENFORCEMENT OFFICER; TO PROVIDE THAT IF THE ARREST IS MADE BY A STATE LAW ENFORCEMENT OFFICER WITHIN THE BOUNDARIES OF ANY CITY OR BY ANY LAW ENFORCEMENT OFFICER OUTSIDE MUNICIPAL BOUNDARIES, THE FUND SHALL BE REMITTED TO THE SHERIFF AND DEPOSITED IN A SPECIAL FUND TO BE KNOWN AS THE 'SHERIFF'S EQUIPMENT FUND'; AND FOR OTHER PURPOSES."

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

SECTION 1. In addition to any court costs now or hereafter levied, there is hereby levied an additional court cost of one hundred dollars (\$100.00) to be paid by any person who pleads guilty or nolo contendere or is found guilty of driving while intoxicated or driving while impaired.

SECTION 2. If the arrest is made within the boundaries of a municipality by a municipal law enforcement officer, the additional court cost levied herein shall be remitted to the municipality and it shall be deposited in the city general fund. If the arrest is made by a state law enforcement officer within the boundaries of any municipality or is made by any law enforcement officer outside of municipal boundaries, the additional court costs levied herein shall be remitted to the sheriff of the county in which the arrest is made and the sheriff shall deposit the same in a special fund to be known as the Sheriff's Equipment Fund. All monies deposited in the fund shall be

invested by the sheriff in an interest bearing account or certificate of deposit in one or more banking institutions within the state of Arkansas which are insured by the Federal Deposit Insurance Corporation. All funds paid into the Sheriff's Equipment Fund by the sheriff shall accumulate as to principal and interest until such time as such funds or a portion thereof are needed by the sheriff to either replace existing equipment or to purchase additional equipment which is used in and necessary to the operation of the sheriff's office. The court clerk shall, on or before the fifteenth day of each month, transmit to the sheriff all additional court costs collected pursuant to this act. The quorum court shall not utilize this fund in making the budget.

SECTION 3. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

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