

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

SENATE BILL

44

By: Senator Hopkins

For An Act To Be Entitled

"AN ACT TO IMPOSE AN ADDITIONAL COURT COST ON ANY PERSON WHO
PLEADS GUILTY OR NOLO CONTENDERE OR IS FOUND GUILTY OF
POSSESSION OF A CONTROLLED SUBSTANCE OR CONTERFEIT SUBSTANCE;
AND FOR OTHER PURPOSES."

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

SECTION 1. (a) Any person who pleads guilty or nolo contendere or is found guilty of possessing a controlled substance or counterfeit substance under Arkansas Code 5-64-401(c) shall pay, as an additional court cost, in the sum of fifty dollars (\$50.00).

(b) All funds collected pursuant to the additional court cost levied in this section shall be immediately paid over by the court clerk or the collecting officer to the county treasurer, who shall monthly remit the funds to the Department of Finance and Administration. The Department shall deposit the funds in the State Treasury as special revenues and shall credit the funds to a special fund created on the books of the State Treasurer, the State Auditor, and the Chief Fiscal Officer of the State to be known as the "Drug Abuse Prevention and Statistical Reporting Fund." The funds shall be used as follows:

(1) For a case involving a pleading of guilty or nolo contendere, or the finding of guilty of possessing a controlled substance or counterfeit substance under Arkansas Code 5-64-401(c), reported to the Arkansas Crime Information Center by the circuit court within sixty (60) days after the pleading or finding of guilty, an amount equal to twenty-five dollars (\$25.00) per case shall be deposited in the county treasury of the county wherein the court is located;

(2) For a case involving a pleading of guilty or nolo contendere, or the finding of guilty of possessing a controlled substance or counterfeit

substance under Arkansas Code 5-64-401(c), reported to the Arkansas Crime Information Center by the municipal court within sixty (60) days after the pleading or finding of guilty, an amount equal to twenty-five dollars (\$25.00) per case shall be deposited in the county treasury of the municipality wherein the court is located; and

(3) All remaining funds not necessary for making disbursements under subdivision (1) or (2) shall be transferred quarterly to the "Arkansas Counties Alcohol and Drug Abuse and Crime Prevention Program Fund."

SECTION 2. 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 3. All laws and parts of laws in conflict with this Act are hereby repealed.