

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

HOUSE BILL 2233

4
5 By: Representative Pollan

For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED §§ 16-13-701 AND
10 16-13-709 TO ALLOW FOR THE ENFORCEMENT OF FINES ASSESSED
11 BY ARKANSAS STATE DIVISION MUNICIPAL COURTS; AND FOR OTHER
12 PURPOSES."

Subtitle

13
14
15 "TO ALLOW FOR THE ENFORCEMENT OF FINES
16 ASSESSED BY ARKANSAS STATE DIVISION
17 MUNICIPAL COURTS"

18
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

20
21 SECTION 1. Arkansas Code Annotated § 16-13-701 is amended to read as
22 follows:

23 "16-13-701. Scope.

24 The procedures established by this subchapter shall apply to the
25 assessment of all monetary fines, however designated, imposed by circuit
26 courts and State Division Municipal Courts for criminal convictions and civil
27 violations, by chancery courts for civil violations exclusive of child
28 support, and by juvenile courts for delinquency adjudications, and shall be
29 utilized to obtain prompt and full payment of all such fines."

30
31 SECTION 2. Arkansas Code Annotated § 16-13-709 is amended to read as
32 follows:

33 "16-13-709. Responsibility for collection.

34 (a)(1) The quorum court of each county of the state shall, on or before
35 January 1, 1996, and on or before January 1 of each subsequent year, designate
36 a county official, agency, department, or private contractor who shall be

1 primarily responsible for the collection of fines assessed upon defendants in
2 the circuit, State Division Municipal, and chancery courts of this state.

3 (2) A copy of the ordinance making such designation shall be
4 provided to the Administrative Office of the Courts by the first day of
5 February of each year.

6 (b)(1) If a private contractor is selected by the quorum court to
7 collect fines, then, to ensure the integrity of the court and to protect the
8 county, the contractor shall register with the Secretary of State and shall
9 file with the Secretary of State a surety bond or certificate of deposit.

10 (2) The amount of the surety bond or certificate of deposit shall
11 be fifty thousand dollars (\$50,000).

12 (3) The county or any person suffering damage by reason of the
13 acts or omissions of the contractor may bring action on the bond for damages.

14 (4) A contractor shall be ineligible to provide such services if
15 the owner, operator, partner, or employee shall have been convicted of a
16 felony."

17

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

21

22 SECTION 4. If any provision of this act or the application thereof to
23 any person or circumstance is held invalid, such invalidity shall not affect
24 other provisions or applications of the act which can be given effect without
25 the invalid provision or application, and to this end the provisions of this
26 act are declared to be severable.

27

28 SECTION 5. All laws and parts of laws in conflict with this act are
29 hereby repealed.

30

31

32

33

34

35