

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

A Bill

HOUSE BILL 2108

5 By: Representative Gillespie
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For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 16-87-214 (a)
10 CONCERNING FEES ASSESSED WHEN THE COURT DETERMINES A
11 PERSON TO BE PARTIALLY INDIGENT; AND FOR OTHER
12 PURPOSES. "
13

Subtitle

15 "AN ACT TO AMEND ARKANSAS CODE 16-87-214
16 (a) CONCERNING FEES ASSESSED WHEN THE
17 COURT DETERMINES A PERSON TO BE
18 PARTIALLY INDIGENT. "
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code 16-87-214 is amended to read as follows:

24 "(a)(1) A trial public defender or a deputy trial public defender shall
25 not:

26 ~~(1)(A)~~ Receive any funds, services, or other thing of
27 monetary value, directly or indirectly, for the representation of an indigent
28 person pursuant to court appointment, except the compensation authorized by
29 law; or

30 ~~(2)(B)~~ Refer any person, indigent or otherwise, who
31 contacts the trial public defender to any other attorney, except pursuant to
32 guidelines established by the commission.

33 (2) If the court finds the person partially indigent the court
34 shall assess a public defender fee based on the person's ability to pay. The
35 fee shall be paid to the public defender of the county of the offense."
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1 SECTION 2. All provisions of this act of a general and permanent nature
2 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
3 Revision Commission shall incorporate the same in the Code.

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5 SECTION 3. If any provision of this act or the application thereof to
6 any person or circumstance is held invalid, such invalidity shall not affect
7 other provisions or applications of the act which can be given effect without
8 the invalid provision or application, and to this end the provisions of this
9 act are declared to be severable.

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12 hereby repealed.