

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

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

A Bill

HOUSE BILL 2230

4
5 By: Representative Sheppard
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7

For An Act To Be Entitled

8
9 "AN ACT TO PROVIDE FOR THE PAYMENT OF THE EXPENSES OF
10 HOUSING MUNICIPAL PRISONERS IN COUNTY JAILS; AND FOR
11 OTHER PURPOSES. "

Subtitle

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14 "TO PROVIDE FOR THE PAYMENT OF THE
15 EXPENSES OF HOUSING MUNICIPAL PRISONERS
16 IN COUNTY JAILS. "

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

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21 SECTION 1. Arkansas Code 12-41-506 is amended to read as follows:

22 "12-41-506. Expenses of municipal prisoners held in county jails.

23 (a)(1) In the absence of an agreement on jail costs between a county
24 and all municipalities having law enforcement agencies in the county, the
25 ~~quorum court in a county~~ County Intergovernmental Cooperation Council in this
26 state the county may by ~~ordinance~~ majority vote establish a daily fee to be
27 charged municipalities for keeping prisoners of municipalities in the county
28 jail.

29 (2) The fee shall be based upon the reasonable expenses which the
30 county incurs in keeping such prisoners in the county jail, but shall not
31 exceed the fee paid for keeping state prisoners.

32 (b)(1) Municipalities whose prisoners are maintained in the county jail
33 shall be responsible for paying the fee established by the ~~quorum court~~ County
34 Intergovernmental Cooperation Council in the county, unless they are located
35 in a county where the county government receives more than the unincorporated
36 area's per capita share of the entire county sales and use tax in effect or

1 they are located in a county which financed or finances its county jail with
 2 more than the county unincorporated area's per capita share of a county sales
 3 and use tax. When so located in a county which has used all or a portion of
 4 the municipalities per capita share of any county sales and use tax, the
 5 municipalities therein shall not be charged or assessed any fees for using the
 6 county jail.

7 (2) When a person is sentenced to a county jail for violating a
 8 municipal ordinance or misdemeanor under state law, the municipality from
 9 which the charges arose shall be responsible for paying the fee established by
 10 an agreement or ~~ordinance of the quorum court in the county~~ majority vote of
 11 the County Intergovernmental Cooperation Council.

12 (3) Municipalities may appropriate funds to assist the county in
 13 the maintenance and operation of the county jail.

14 ~~(4) [Repealed].~~

15 (c)(1) Each county sheriff shall bill each municipality monthly for the
 16 cost of keeping prisoners in the county jail.

17 (2) Each sheriff shall remit to the county treasurer monthly the
 18 fees collected under this section, and such fees shall be credited to the
 19 county general fund.

20 (d) Counties shall give priority to in-county municipalities over
 21 contracts for out-of-county prisoners."

22
 23 SECTION 2. All provisions of this act of a general and permanent nature
 24 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
 25 Revision Commission shall incorporate the same in the Code.

26
 27 SECTION 3. If any provision of this act or the application thereof to
 28 any person or circumstance is held invalid, such invalidity shall not affect
 29 other provisions or applications of the act which can be given effect without
 30 the invalid provision or application, and to this end the provisions of this
 31 act are declared to be severable.

32
 33 SECTION 4. All laws and parts of laws in conflict with this act are
 34 hereby repealed.