

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

A Bill

SENATE BILL 898

4
5 By: Senator Brown
6
7

For An Act To Be Entitled

8
9 "AN ACT TO AMEND ARKANSAS CODE § 12-41-506 TO CLARIFY
10 WHEN A MUNICIPALITY IS RESPONSIBLE FOR PAYING FOR
11 PRISONERS HELD IN A COUNTY JAIL; AND FOR OTHER
12 PURPOSES. "
13

Subtitle

14
15 "AN ACT TO AMEND ARKANSAS CODE § 12-41-
16 506 TO CLARIFY WHEN A MUNICIPALITY IS
17 RESPONSIBLE FOR PAYING FOR PRISONERS
18 HELD IN A COUNTY JAIL. "
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. Arkansas Code 12-41-506 is amended to read as follows:
24 "12-41-506. Expenses of municipal prisoners held in county jails.

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

30 (2) The fee shall be based upon the reasonable expenses which the
31 county incurs in keeping such prisoners in the county jail.

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 in the
34 county.

35 (2) When a ~~person~~ prisoner of a municipality is held in a county
36 jail prior to trial or sentenced to a county jail for violating a municipal

1 ordinance or statutory misdemeanor offense, the municipality shall be
2 responsible for paying the fee established by an agreement or ordinance of the
3 quorum court in the county.

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

6 (4) [Repealed].

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

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

12 (d) Counties shall give priority to in-county municipalities over
13 contracts for out-of-county prisoners.”

14
15 SECTION 2. All provisions of this act of a general and permanent nature
16 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
17 Revision Commission shall incorporate the same in the Code.

18
19 SECTION 3. If any provision of this act or the application thereof to
20 any person or circumstance is held invalid, such invalidity shall not affect
21 other provisions or applications of the act which can be given effect without
22 the invalid provision or application, and to this end the provisions of this
23 act are declared to be severable.

24
25 SECTION 4. All laws and parts of laws in conflict with this act are
26 hereby repealed.

27
28
29
30
31
32
33
34
35
36