

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001

A Bill

HOUSE BILL 2409

4
5 By: Representative Carson
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For An Act To Be Entitled

8
9 AN ACT TO ENHANCE THE RATE OF COLLECTION OF FINE
10 REVENUE IN THE DISTRICT COURTS OF THIS STATE; AND
11 FOR OTHER PURPOSES.
12

Subtitle

13
14 AN ACT TO ENHANCE THE RATE OF COLLECTION
15 OF FINE REVENUE IN THE DISTRICT COURTS
16 OF THIS STATE.
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18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. (a) It is found by the General Assembly that the current
22 system of case management, accounting, data collection, and data exchange in
23 our state judicial system will be enhanced by the installation of a uniform
24 computer system in the state's district courts. It is further determined that
25 the current method of financing the state judicial system is not sufficient
26 to provide this needed system. Finally, it is determined that performance
27 based budgeting is in the state's best interest.

28 (b) It is, therefore, the intent of this act to implement a
29 performance based budgeting option for the state, counties, and cities to
30 utilize for those courts which choose to acquire the uniform computer system
31 selected by the Supreme Court Committee on Automation for the state's
32 district courts.
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34 SECTION 2. For purposes of this subchapter, the term "fine" or "fines"
35 means all monetary penalties imposed by the district courts of this state,
36 which include fines payable to the county general fund, the city general

1 fund, and other state agencies, court costs, probation fees, and public
2 service work supervisory fees.

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4 SECTION 3. (a) The Supreme Court Committee on Automation shall
5 prescribe, in cooperation with the Administrative Office of the Courts, the
6 Arkansas Division of Legislative Audit, the Association of Arkansas Counties
7 and the Arkansas Municipal League, appropriate forms for the reporting and
8 allocation of all fines and such other information relevant to the income
9 received by the various state, county, and city entities from district
10 courts.

11 (b) Each district court in this state shall, if requested, provide
12 this information to the committee for the twelve-month period immediately
13 preceding the installation of the computer hardware and software as required
14 by contract for the "District Court Automation System".

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16 SECTION 4. (a) The state agency or entity which receives fine revenue
17 from a district court in which this system is installed may contract with the
18 vendor or private contractor selected by the Supreme Court Committee on
19 Automation, to pay a percentage of any increased fine revenue to the vendor
20 or private contractor to be used for the maintenance and operation of the
21 system. The percentage to be received by the vendor or private contractor
22 shall be agreed upon in advance by the state agency or entity affected.

23 (b) The county quorum court or the governing body of the city in which
24 a court having the system installed is located, or both, may contract with
25 the vendor or private contractor selected by the Supreme Court Committee on
26 Automation, to pay a percentage of any increased fine revenue to the vendor
27 or private contractor to be used for the maintenance and operation of the
28 system. The percentage to be received by the vendor or private contractor
29 shall be agreed upon in advance by the county quorum court or the governing
30 body of the city in which the court is located or both.

31 (c) Each district court in which the system is installed shall submit
32 a report to the state agency or entity affected, county quorum court or
33 governing body of the city in which the court is located, or both, for each
34 twelve-month period immediately following installation of the system. This
35 report shall be compared to the fine revenue received for the twelve-month
36 period immediately preceding installation of the system which shall be the

1 base year. The dollar amount of increase in fine revenue in each of the
2 twelve-month periods immediately following installation of the system shall
3 be compared to the twelve-month period immediately preceding installation.
4 The dollar amount of increase in fine revenue as determined above shall be
5 the basis for determining the funds due to the vendor or private contractor
6 for each year that the system is in operation. This amount shall be
7 determined within forty-five (45) days after the end of the twelve-month
8 period.

9 (d) Within sixty (60) days after the twelve-month period, each court
10 in which the system is installed shall remit to the vendor or private
11 contractor one-twelfth (1/12) of the amount as determined in subsection (c)
12 for the succeeding twelve (12) months.

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