

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
4

As Engrossed: S3/22/01

A Bill

SENATE BILL 592

5 By: Senators Mahony, Baker, Brown, Bryles, Gullett, Hill, Horn, Hunter, J. Jeffress, Miller, Riggs, K.
6 Smith, Webb, Whitaker, Wilkins, *Faris*
7 By: Representatives Carson, Bradford, Bolin, Borhauer, Bright, Clemons, Cook, Dees, Eason, J. Elliott,
8 Fite, Glover, Green, Jackson, Hunt, G. Jeffress, Jones, Judy, King, Lendall, Lewellen, Lowery, Milligan,
9 Napper, Salmon, Schall, Shoffner, W. Walker, White

For An Act To Be Entitled

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11
12 AN ACT TO AMEND ARKANSAS CODE 16-10-305 TO
13 INCREASE MISDEMEANOR OFFENSES COURT COSTS IN
14 MUNICIPAL, CITY AND POLICE COURTS; AND FOR OTHER
15 PURPOSES.
16

Subtitle

17
18 AN ACT TO AMEND ARKANSAS CODE 16-10-305
19 TO INCREASE MISDEMEANOR OFFENSES COURT
20 COSTS IN MUNICIPAL, CITY
21 AND POLICE COURTS.
22

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24
25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

26
27 SECTION 1. Arkansas Code Annotated 16-10-305 is hereby amended to read
28 as follows:

29 (a) There shall be levied and collected from each defendant upon each
30 conviction, each plea of guilty or nolo contendere, or forfeiture of bond, the
31 following court costs:

32 (1) For misdemeanor or felony violations of state law, excluding
33 violations of the Omnibus DWI Act, § 5-65-101 et seq., in circuit court, one
34 hundred fifty dollars (\$150);

35 (2) For offenses which are misdemeanors or violations of state
36 law, excluding violation of the Omnibus DWI Act, § 5-65-101 et seq., in

1 municipal court, ~~seventy-five dollars (\$75.00)~~ one-hundred dollars (\$100.00);

2 (3) For traffic offenses which are misdemeanors or violations
3 under state law or local ordinance, excluding violation of the Omnibus DWI
4 Act, § 5-65-101 et seq., in municipal court, *seventy-five dollars (\$75.00)*;

5 (4) For nontraffic offenses which are misdemeanors or violations
6 under local ordinance in municipal, city, or police court, twenty-five dollars
7 (\$25.00);

8 (5) For violations of the Omnibus DWI Act, § 5-65-101 et seq., in
9 circuit court, municipal court, city court, or police court, three hundred
10 dollars (\$300);

11 (6) For offenses which are misdemeanors or violations under state
12 law, excluding violation of the Omnibus DWI Act, § 5-65-101 et seq., ~~fifty~~
13 ~~dollars (\$50.00)~~ seventy-five dollars (\$75.00) in city court and police court;
14 and

15 (7) For traffic offenses which are misdemeanors or violations
16 under state law or local ordinance, excluding violations of the Omnibus DWI
17 Act, § 5-65-101 et seq., *fifty dollars (\$50.00)* in city court and police
18 court.

19 (b)(1) The costs set forth in this section shall be imposed at the
20 conclusion of any criminal case enumerated in subsection (a) of this section
21 that does not end in an acquittal, dismissal, or, with the consent of the
22 prosecution, a nolle prosequi.

23 (2) They shall be imposed at the conclusion of cases involving a
24 suspended or probated sentence even though that sentence may be expunged or
25 otherwise removed from the defendant's record.

26 (c) No county, municipality, or town shall be liable for the payment of
27 the costs taxed under this section in any instance where they are not
28 collected, or in any case in which the defendant pays the costs by serving
29 time in a jail, on a county farm, or at any other official place of detention
30 or work.

31 (d) No municipality or county shall authorize and no police court, city
32 court, municipal court, or circuit court shall assess or collect any other
33 court costs other than those authorized by this act, unless specifically
34 provided by state law.

35 (e) This section shall become effective July 1, ~~1997~~ 2001, and the
36 revised court costs shall be imposed on all cases which come before the court

1 for final disposition on or after July 1, ~~1997~~ 2001.

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SECTION 2. The additional funds which are generated from these fees and a portion of which are transferred to the State Administration of Justice Fund under § 16-10-307(e) and § 16-10-308(e) are assessed in order to provide essential funding for legal counsel for indigent parents and for children in dependency-neglect proceedings in juvenile cases.

/s/ Mahony