

State of Arkansas
85th General Assembly
Regular Session, 2005

A Bill

HOUSE BILL 2405

By: Representative Adams

For An Act To Be Entitled

AN ACT TO CLARIFY THE STATUTE CONCERNING EXPENSES
OF MUNICIPAL PRISONERS HELD IN COUNTY JAILS; AND
FOR OTHER PURPOSES.

Subtitle

AN ACT TO CLARIFY THE STATUTE CONCERNING
EXPENSES OF MUNICIPAL PRISONERS HELD IN
COUNTY JAILS.

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

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

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

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

(B) As used in this section, "prisoners of municipalities" means:

(i) A person housed in a county jail because of a pending misdemeanor charge on any city or district court docket and the misdemeanor fine owed by the person, if convicted, would be paid to the city or district court;

(ii) A person housed in a county jail because of a sentence imposed for violation of a municipal ordinance or conviction of a misdemeanor charge that arose in any city or district court and the fine owed



1 by the convicted person will be paid to the city or district court; or
2 (iii) A person housed in a county jail because of a
3 pending charge or sentence for contempt of any city or district court or for
4 failure to appear before any city or district court and the fine that could
5 be assessed and owed by the person, if convicted, would be paid to the city
6 or district court.

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

9 (b)(1) Municipalities whose prisoners are maintained in the county
10 jail shall be responsible for paying the fee established by the quorum court
11 in the county.

12 (2) When a person is sentenced to a county jail for violating a
13 municipal ordinance, the municipality shall be responsible for paying the fee
14 established by an agreement or ordinance of the quorum court in the county.

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

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

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

22 (d) Counties shall give priority to in-county municipalities over
23 contracts for out-of-county prisoners.