

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 85th General Assembly
3 Regular Session, 2005

A Bill

SENATE BILL 584

4
5 By: Senator Miller
6
7

For An Act To Be Entitled

8
9 AN ACT TO PROVIDE FUNDING FOR LEGAL AID; TO
10 INCREASE THE BAIL BOND FEE; AND FOR OTHER
11 PURPOSES.
12

Subtitle

13
14 AN ACT TO PROVIDE FUNDING FOR LEGAL AID
15 AND TO INCREASE THE BAIL BOND FEE.
16
17

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

20 SECTION 1. Arkansas Code § 17-19-301(e), concerning bail bond
21 premiums, is amended to read as follows:

22 (e)(1)(A) In addition to the premiums, compensation, and fees allowed
23 in subsections (a) and (d) of this section, beginning July 1, 2003, each bail
24 bond company shall charge and collect ten dollars (\$10.00) as a non-
25 refundable fee for the Arkansas Public Defender Commission.

26 (B) In addition to the fee charged under subdivision
27 (e)(1)(A) of this section, each bail bond company shall charge and collect an
28 additional ten dollars (\$10.00) as a nonrefundable fee.

29 (2)(A) All fees collected under subdivision (e)(1)(A) of this
30 section shall be forwarded to the commission for deposit in the Public
31 Defender User Fee Fund.

32 (B) All fees collected under subdivision (e)(1)(B) of this
33 section shall be forwarded to the commission, which shall forward the fees to
34 the Treasurer of State for deposit into the Public Legal Aid Fund.

35 (3) The commission shall deposit the money collected under
36 subdivision (e)(1)(A) of this section into the existing account within the



1 State Central Services Fund entitled "Public Defender User Fees".

2 (4) The fees collected by the bail bond companies required under
 3 this subsection shall be reported and filed with the commission quarterly.

4 (5) A notarized annual reconciliation of all fees collected in
 5 the preceding calendar year shall be filed by each bail bond company by
 6 February 15 on forms provided by the commission.

7 (6) In addition to the bail or appearance bond premium or
 8 compensation allowed under this section and § 17-19-111, each licensed
 9 professional bail bond company shall charge and collect a processing fee of
 10 three dollars (\$3.00) on each bail bond in order to defray the surety's costs
 11 incurred by the quarterly and annual reports to the commission and to further
 12 defray the surety's costs incurred in the collection of all fees due owing
 13 and collected on behalf of the commission.

14
 15 SECTION 2. Title 19, Chapter 6, Subchapter 4 is amended to add a new
 16 section as follows:

17 19-6-499. Public Legal Aid Fund.

18 (a) There is created on the books of the Treasurer of State, Auditor
 19 of State, and Chief Fiscal Officer of the State a special revenue fund to be
 20 known as the "Public Legal Aid Fund".

21 (b)(1) All moneys collected under § 17-19-301(e)(1)(B) shall be
 22 deposited into the State Treasury to the credit of the fund as special
 23 revenues.

24 (2) The fund shall also consist of any other revenues as may be
 25 authorized by law.

26 (c) The fund shall be used for providing financial support for public
 27 legal aid organizations and distributed as follows:

28 (1) Forty-five percent (45%) of the fees collected under § 17-
 29 19-301(e)(1)(B) shall be paid to Legal Aid of Arkansas; and

30 (2) Fifty-five percent (55%) of the fees collected under § 17-
 31 19-301(e)(1)(B) shall be paid to the Center for Arkansas Legal Services.