

1 State of Arkansas  
2 86th General Assembly  
3 Regular Session, 2007

# A Bill

SENATE BILL 213

4  
5 By: Senator Hill  
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## For An Act To Be Entitled

8  
9 AN ACT CONCERNING SUBMISSION OF FUNDS OR REPORTS  
10 TO THE ADMINISTRATION OF JUSTICE FUND; AND FOR  
11 OTHER PURPOSES.  
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## Subtitle

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14 CONCERNING SUBMISSION OF FUNDS OR  
15 REPORTS TO THE ADMINISTRATION OF JUSTICE  
16 FUND.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code § 16-10-309 is amended to read as follows:

22 16-10-309. Failure to submit funds or reports.

23 (a) In the event a town, city, or county fails to timely or adequately  
24 submit funds and reports required by § 16-10-306, § 16-10-307(d), § 16-10-  
25 308(e), or other state law requiring a town, city, or county to submit funds  
26 and reports to the Administration of Justice Fund Section of the Office of  
27 Administrative Services of the Department of Finance and Administration:

28 (1)(A)(i) The Attorney General may file a civil suit in circuit  
29 court against the town, city, or county alleged to have failed to submit the  
30 funds.

31 (ii) If the town, county, or city is found by the  
32 court to have failed to submit the funds and reports, the court shall impose  
33 a civil penalty on ~~such~~ the town, county, or city of ten percent (10%) of the  
34 amount required to be remitted for the period of time the town, county, or  
35 city has failed to be in compliance.

36 (iii) The action may be brought in the circuit court



of the subject county or the Circuit Court of Pulaski County.

(iv) The Attorney General shall be allowed to recover costs and attorney's fees associated with the civil suit from the town, county, or city found to have failed to be in compliance; ~~or~~ and

(B) The Chief Fiscal Officer of the State, upon a finding that the town, city, or county has failed to submit the funds and reports, may withhold from month to month an equal amount from the town's, city's, or county's share of the state turnback funds owed to the town, city, or county until the funds required to be paid have been submitted; and

(2)(A) Provided that the failure to act continues for a period of sixty (60) days, the state, upon a finding by the Chief Fiscal Officer of the State, may require the town, county, or city to remit all costs, fees, or other funds, however designated under ~~subsection (a)~~ subdivision (a)(1) of this section.

(B) The town, county, or city will thereafter receive its share of these funds at a time and in the manner prescribed by regulations of the Chief Fiscal Officer of the State.

(b)(1) All funds received under § 16-10-306, § 16-10-307(d), or § 16-10-308(e) shall be transferred to the State Administration of Justice Fund to be held and distributed under this subchapter.

(2) All other funds received shall be transferred to the appropriate state fund as provided by law.