

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 87th General Assembly
3 Regular Session, 2009

A Bill

HOUSE BILL 1493

4
5 By: Representatives Overbey, T. Baker, Pyle

For An Act To Be Entitled

9 AN ACT CONCERNING DISBURSEMENT OF FINES FROM
10 DISTRICT COURTS; AND FOR OTHER PURPOSES.

Subtitle

13 AN ACT CONCERNING DISBURSEMENT OF FINES
14 FROM DISTRICT COURTS.

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

19 SECTION 1. Arkansas Code § 16-17-707(b) [Effective until January 1,
20 2012], concerning district court fines, is amended to read as follows:

21 (b)(1)(A) After deducting the fees due the police department and
22 marshal's office and sheriff's office, the district court shall pay into the
23 town or city treasury all sums collected from the first class of accounting
24 records.

25 (B) The district court shall pay all sums collected from
26 the second class of accounting records into the county treasury.

27 (2) Any district court that is funded solely by the county shall
28 pay all sums collected from the first class or second class of accounting
29 records into the county treasury and shall pay all uniform filing fees and
30 court costs collected into the county administration of justice fund.

31 (3) A town or city that has a police department and does not
32 operate a district court or city court shall receive only the prorated sums
33 collected as provided in § 16-17-1203.

34 ~~(3)~~ (4) Direct monetary settlements shall be made with state
35 entities or agencies as provided by law.



1 SECTION 2. Title 16, Chapter 17, Subchapter 12 is amended to add a
 2 section to read as follows:

3 16-17-1203. Procedure for expense cost sharing. [Effective until
 4 January 1, 2012.]

5 (a)(1)(A) Any town or city that has a police department but does not
 6 have a district court or city court may contribute to the operational
 7 expenses of the nearest district court in the county where the town or city
 8 is located pursuant to a written agreement.

9 (B) A written agreement is mandatory and is to be entered
 10 into among the governing body of the town or city and the governing bodies of
 11 the political subdivisions that contribute to the operational expenses of the
 12 district court.

13 (2)(A) The contribution to the operational expenses of a
 14 district court described in subdivision (a)(1) of this section shall be a
 15 prorated amount based on the number of cases filed in the district court from
 16 each of the towns and cities and the county during the preceding calendar
 17 year.

18 (B) The prorated amount of operational expenses shall
 19 apply to all fines, fees, and costs not obligated under law that are
 20 collected pursuant to § 16-13-701 et seq. in all:

21 (i) Nontraffic cases that are misdemeanors or
 22 violations of a town or city ordinance;

23 (ii) Cases that are misdemeanors or violations under
 24 state law; and

25 (iii) Traffic offenses that are misdemeanors or
 26 violations under state law or town or city ordinance committed within the
 27 corporate limits of a town or city that is a party to an agreement described
 28 in subdivision (a)(1) of this section.

29 (b) Apportionment of the costs of a district court shall be by order
 30 of the district court upon certification of the cases filed by the clerk of
 31 the district court.

32 (c) On and after the effective date of the agreement described in
 33 subdivision (a)(1) of this section, all fines, fees, penalties, and costs
 34 received by a town or city that is a party to the agreement shall be
 35 collected and distributed in the manner provided by laws affecting district
 36 courts.

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SECTION 3. Arkansas Code § 16-17-1203(a)(1) [Effective January 1, 2012], concerning cost-sharing procedures, is amended to read as follows:

(a)(1)(A) Any town or city that has a police department but does not have a district court may contribute to the operational expenses of the nearest district court in the county where the town or city is located pursuant to a written agreement.

(B) A written agreement is mandatory and is to be entered into between the governing body of the town or city and the governing bodies of the political subdivisions that contribute to the operational expenses of the district court.