

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

# A Bill

SENATE BILL 102

5 By: Senator Rice  
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## For An Act To Be Entitled

8 AN ACT TO CLARIFY THE LAW CONCERNING THE FINES, FEES,  
9 AND COSTS THAT MAY BE ASSESSED FOR A VIOLATION OF THE  
10 MANDATORY SEAT BELT USE LAW; AND FOR OTHER PURPOSES.  
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## Subtitle

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13 TO CLARIFY THE LAW CONCERNING THE FINES,  
14 FEES, AND COSTS THAT MAY BE ASSESSED FOR  
15 A VIOLATION OF THE MANDATORY SEAT BELT  
16 USE LAW.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code § 16-10-305(a)(2)-(3), concerning court  
23 costs, is amended to read as follows:

24 (2) In district court, one hundred dollars (\$100) for an offense  
25 that is a misdemeanor or violation of state law, excluding a violation of:

- 26 (A) The Omnibus DWI or BWI Act, § 5-65-101 et seq.;
- 27 (B) The Underage DUI or BUI Law, § 5-65-301 et seq.;
- 28 (C) Section 5-75-101 et seq.;
- 29 (D) Section 27-23-114; ~~or~~
- 30 (E) Section 15-42-127; or
- 31 (F) Section 27-37-701 et seq.;

32 (3) In circuit court or district court, seventy-five dollars  
33 (\$75.00) for a traffic offense that is a misdemeanor or violation under state  
34 law or local ordinance, excluding a violation of:

- 35 (A) The Omnibus DWI or BWI Act, § 5-65-101 et seq.;
- 36 (B) The Underage DUI or BUI Law, § 5-65-301 et seq.;



- 1 (C) Section 5-75-101 et seq.;
- 2 (D) Section 27-23-114; ~~or~~
- 3 (E) Section 15-42-127; or
- 4 (F) Section 27-37-701 et seq.;

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6 SECTION 2. Arkansas Code § 16-10-305(a)(7), concerning court costs, is  
 7 amended to read as follows:

8 (7) In circuit court or district court, twenty-five dollars  
 9 (\$25.00) ~~for a violation of the mandatory seat belt use law, § 27-37-701 et~~  
 10 ~~seq., and~~ for failure to present proof of insurance at the time of a traffic  
 11 stop, §§ 27-22-103, 27-22-104, and 27-22-111.

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13 SECTION 3. Arkansas Code § 16-17-129, concerning fines to defray the  
 14 cost of incarcerating city and county prisoners, is amended to add an  
 15 additional subsection to read as follows:

16 (f) This section does not authorize an additional fine for a violation  
 17 of § 27-37-701 et seq.

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19 SECTION 4. Arkansas Code § 27-37-706 is amended to read as follows:  
 20 27-37-706. Penalties—~~Court costs.~~

21 (a) ~~Any~~ A person who violates this subchapter shall be subject to a  
 22 fine not to exceed twenty-five dollars (\$25.00).

23 (b) Except for a fine under subsection (a) of this section and a late  
 24 fee imposed for failure to pay the fine required by subsection (a) of this  
 25 section by the date it is due, ~~When~~ when a person is convicted, pleads  
 26 guilty, pleads nolo contendere, or forfeits bond for violation of this  
 27 subchapter, ~~court costs under § 16-10-305 shall be assessed, but other~~ fines,  
 28 costs, or fees shall not be assessed.

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