

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas As Engrossed: H3/13/19 H3/14/19

2 92nd General Assembly

A Bill

3 Regular Session, 2019

SENATE BILL 315

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5 By: Senator K. Hammer

6 By: Representatives Kelly, Nicks

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For An Act To Be Entitled

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AN ACT TO AMEND THE LAW CONCERNING DRIVER'S LICENSE

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REINSTATEMENT FEES; AND FOR OTHER PURPOSES.

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Subtitle

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TO AMEND THE LAW CONCERNING DRIVER'S

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LICENSE REINSTATEMENT FEES.

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

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SECTION 1. Arkansas Code § 5-65-119(a), concerning the distribution of
21 *driver's license reinstating fees for driving or boating while intoxicated,*
22 *is amended to add an additional subdivision to read as follows:*

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(3) Upon notice to the taxpayer of certification of the intent
24 to intercept the taxpayer's state income tax refund under § 26-36-301 et
25 seq., the outstanding fees assessed under this section that are owned by a
26 taxpayer shall be setoff against the taxpayer's state income tax refund.

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SECTION 2. Arkansas Code § 26-36-303(1)(A), concerning the definition
29 of "claimant agency" for state tax refund setoffs, is amended to add an
30 additional subdivision to read as follows:

31

(xviii) The Office of Driver Services.

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SECTION 3. Arkansas Code § 26-36-303(2), concerning the definition of
34 "debt" for state tax refund setoffs, is amended to read as follows:

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(2) "Debt" means:

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(A) Any liquidated sum due and owing any claimant agency,



1 which has accrued through contract, subrogation, tort, operation of law,
2 legal proceeding, or any other legal theory, regardless of whether there is
3 an outstanding judgment for that sum;

4 (B) Accrued obligations due to an assignment of child
5 support rights made to the state as a condition of eligibility for welfare
6 assistance and those which have accrued from contract with the claimant
7 agency by an individual who is not the recipient of welfare assistance;

8 (C) Money owed to a claimant agency as a result of a
9 debtor's cashing both the original and the duplicate state warrants;

10 (D) All of the following that are not under appeal:

11 (i) Traffic fines;

12 (ii) Any court-imposed fine or cost, including fines
13 related to the prosecution of hot checks under the Arkansas Hot Check Law, §
14 5-37-301 et seq.; ~~and~~

15 (iii) Fees for reinstatement of a driver's license
16 payable to the Office of Driver Services under § 5-65-119, § 27-16-508, and §
17 27-16-808; and

18 (iv) Restitution ordered by a circuit, county,
19 district, or city court related to the violation of any state law;

20 (E) Money owed to a claimant agency for all costs as a
21 result of the debtor's use of state medical and pharmacy benefits for which
22 he or she is not entitled;

23 (F) Money owed to a claimant agency for all costs
24 resulting from an overpayment of wages or salaries, including a lump sum
25 payment; and

26 (G) Money owed to a claimant agency for all delinquent
27 taxes, all costs resulting from delinquent taxes, and any penalties assessed
28 against a delinquent taxpayer under § 26-36-201;

29
30 SECTION 4. Arkansas Code § 27-16-508(a), concerning the fee for
31 reinstatement of a driver's license, is amended to read as follows:

32 (a)(1) The Office of Driver Services shall collect a reinstatement fee
33 of one hundred dollars (\$100) to be multiplied by the number of
34 administrative orders to suspend, revoke, or cancel a driver's license, other
35 than orders eligible for reinstatement under § 5-65-119, § 5-65-304, § 5-65-
36 310, or § 27-16-808 and other than orders entered under § 27-16-909.

