

1 State of Arkansas  
2 94th General Assembly  
3 Regular Session, 2023  
4

# A Bill

HOUSE BILL 1414

5 By: Representative Lundstrum  
6 By: Senator Irvin  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS LAW CONCERNING THE  
10 ESTABLISHMENT OF A STATEWIDE INTEGRATED SYSTEM FOR  
11 THE ASSESSMENT AND COLLECTION OF FINES, PENALTIES,  
12 FEES, COSTS, AND RESTITUTION; AND FOR OTHER PURPOSES.  
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## Subtitle

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16 TO AMEND ARKANSAS LAW CONCERNING THE  
17 ESTABLISHMENT OF A STATEWIDE INTEGRATED  
18 SYSTEM FOR THE ASSESSMENT AND COLLECTION  
19 OF FINES, PENALTIES, FEES, COSTS, AND  
20 RESTITUTION.  
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22  
23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. DO NOT CODIFY. LEGISLATIVE FINDINGS. (a) The General  
26 Assembly finds that:

27 (1) There is not a statewide integrated system through which all  
28 circuit and district courts may participate to manage the assessment and  
29 collection of fines, penalties, fees, costs, and restitution owed by  
30 defendants; and

31 (2) The lack of a statewide integrated system results in:

32 (A) Fines, penalties, fees, costs, and restitution going  
33 unpaid or being paid but not reported in multiple jurisdictions; and

34 (B) Defendants being rearrested for nonpayment of fines,  
35 penalties, fees, costs, and restitution that have been paid but the payments  
36 are not visible in other jurisdictions.



1       (b) The intent of this act is to establish a statewide integrated  
 2 system to be used by all circuit courts, district courts, court clerks, law  
 3 enforcement agencies and officials, and defendants for the assessment and  
 4 collection of fines, penalties, fees, costs, and restitution and the  
 5 management and reporting of revenue from fines, penalties, fees, costs, and  
 6 restitution.

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 8       SECTION 2. Arkansas Code § 16-13-710 is amended to read as follows:

9       16-13-710. Automated collection procedures – Statewide integrated  
 10 system for assessment and collection of fines, penalties, fees, costs, and  
 11 restitution.

12       (a) The Administrative Office of the Courts shall develop a statewide  
 13 integrated system to be used by all circuit courts, district courts, court  
 14 clerks, law enforcement agencies and officials, and defendants for the  
 15 assessment and collection of fines, penalties, fees, costs, and restitution  
 16 and the management and reporting of revenue from fines, penalties, fees,  
 17 costs, and restitution.

18       (b) The system under subsection (a) of this section shall be available  
 19 to:

- 20               (1) Law enforcement agencies and officials;
- 21               (2) Circuit courts;
- 22               (3) District courts;
- 23               (4) Court clerks;
- 24               (5) Defendants;
- 25               (6) Victims; and
- 26               (7) The public.

27       (c) The system under subsection (a) of this section shall allow for  
 28 without limitation:

- 29               (1) Alerts to appropriate law enforcement officials, probation  
 30 or parole officers, and courts when a defendant's failure to pay fines,  
 31 penalties, fees, costs, or restitution reaches a predetermined sum;
- 32               (2) Online payments of fines, penalties, fees, costs, and  
 33 restitution from a computer or mobile device;
- 34               (3) The creation of a receipt or other certification of  
 35 completion upon making a payment in the system;
- 36               (4) The garnishment of wages when mandated by a court until all

1 finances, penalties, fees, costs, and restitution are paid if the defendant  
 2 agrees to garnishment at the time of sentencing; and

3 (5)(A) The collection of the proceeds payable to a defendant  
 4 from:

- 5 (i) State income tax refunds;
- 6 (ii) Legal settlements or favorable verdicts;
- 7 (iii) Lottery winnings; and
- 8 (iv) Any moneys or property forfeited by the state.

9 (B) Proceeds collected under subdivision (c)(5) of this  
 10 section shall be applied first to restitution that is due and, when  
 11 restitution has been satisfied, then to fines, penalties, fees, and costs  
 12 that are due.

13 (d) The Administrative Office of the Courts shall ~~have the~~  
 14 ~~responsibility to~~ assist circuit courts and district courts in the assessment  
 15 and collection of finances, penalties, fees, costs, and restitution and the  
 16 management and reporting of ~~fine~~ revenue from fines, penalties, fees, costs,  
 17 and restitution.