

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

State of Arkansas
91st General Assembly
Regular Session, 2017

As Engrossed: H3/1/17
A Bill

SENATE BILL 102

By: Senator Flippo

By: Representative Ballinger

For An Act To Be Entitled

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

Subtitle

TO CLARIFY THE LAW CONCERNING THE FINES,
FEES, AND COSTS THAT MAY BE ASSESSED FOR
A VIOLATION OF THE MANDATORY SEAT BELT
USE LAW.

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

SECTION 1. Arkansas Code § 16-10-305(a)(2)-(3), concerning court costs, is amended to read as follows:

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

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

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

- (A) The Omnibus DWI or BWI Act, § 5-65-101 et seq.;



- (B) The Underage DUI or BUI Law, § 5-65-301 et seq.;
- (C) Section 5-75-101 et seq.;
- (D) Section 27-23-114; ~~or~~
- (E) Section 15-42-127; or
- (F) Section 27-37-701 et seq.;

SECTION 2. Arkansas Code § 16-17-129, concerning fines to defray the cost of incarcerating city and county prisoners, is amended to add an additional subsection to read as follows:

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

SECTION 3. Arkansas Code § 27-37-706 is amended to read as follows:
27-37-706. Penalties – Court costs.

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

(b) When a person is convicted, pleads guilty, pleads nolo contendere, or forfeits bond for violation of this subchapter, court costs under § 16-10-305(a)(7) shall be assessed, but other finer, costs, or fees shall not be assessed.

(c) However, if a person pleads not guilty and the finder of fact determines the person was in violation of this subchapter, a fee imposed by ordinance of the county quorum court in accordance with this subchapter may be assessed in an amount not to exceed thirty dollars (\$30.00) in addition to the fine and court costs authorized under subsections (a) and (b) of this section.

/s/Flippo