

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

State of Arkansas
93rd General Assembly
Regular Session, 2021

As Engrossed: H2/22/21

A Bill

HOUSE BILL 1420

By: Representative Bryant

For An Act To Be Entitled

AN ACT CONCERNING THE ARKANSAS COURT SECURITY ACT; TO ADDRESS COURTS THAT LACK PROPER SECURITY; TO CREATE THE COURT SECURITY FEE; AND FOR OTHER PURPOSES.

Subtitle

CONCERNING THE ARKANSAS COURT SECURITY ACT; AND TO ADDRESS COURTS THAT LACK PROPER SECURITY; TO CREATE THE COURT SECURITY FEE.

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

SECTION 1. Arkansas Code Title 16, Chapter 10, Subchapter 10, is amended to add an additional section to read as follows:

16-10-1007. Court security review – Court security fee.

(a) The administrative judge of a circuit court or a district court judge responsible for the court facility may submit a request to the Director of Security and Emergency Preparedness for a court security review which shall consist of a comprehensive review of the current security measures of that circuit court or district court, including all courtrooms, courthouses, judges' chambers, and administrative offices that are part of the circuit court or district court, as applicable.

(b)(1) The Director of Security and Emergency Preparedness shall review the security measures and shall promptly prepare a report detailing any notable lack of security measures or areas where security may be present but insufficient.

(2) The report shall also include recommendations for additional



security measures that would rectify any lack of or insufficient security measures, as well as an estimated cost of establishing and maintaining those additional security measures.

(c)(1) After the completion of the security review described under subsection (b) of this section, the Director of Security and Emergency Preparedness shall deliver a copy to the administrative judge of the circuit court or the district court judge responsible for the court facility as well as the Director of the Administrative Office of the Courts and to the Chief Justice of the Supreme Court for review.

(2) If the Director of the Administrative Office of the Court and the Chief Justice of the Supreme Court determine that the judge requesting the security review has insufficient security measures the Chief Justice may authorize the administrative judge of the circuit court or the district court judge responsible for the court facility to begin assessing a court security fee to subsidize and maintain additional security measures for the administrative judge of the circuit court or the district court judge responsible for the court facility.

(3) The court security fee authorized under this subsection shall be reviewed by the Director of Security and Emergency Preparedness, the Director of the Administrative Office of the Courts, and the Chief Justice of the Supreme Court periodically while it is implemented and may be modified or deauthorized by the Chief Justice of the Supreme Court when the administrative judge of the circuit court or the district court judge responsible for the court facility is able to maintain sufficient security measures independent of the court security fee subsidy.

(d)(1) A court security fee under this section shall be assessed on every conviction for a felony, misdemeanor, or violation in the circuit court or district court, where applicable.

(2) The amount of the court security fee under this section shall be set by the Chief Justice of the Supreme Court upon review of an initial recommendation by the administrative judge of a circuit court or the district court judge responsible for the court facility, but shall not be more than ten dollars (\$10.00) per conviction.

(3)(A)(i) The collecting officer of the court security fee under this section shall remit the court security fees by the tenth of each month to the treasurer of the administrative jurisdiction of the court.

(ii) The treasurer shall deposit the court security fees into either the district court security fee fund or the circuit court security fee fund depending on which court collected the court security fee.

(B)(i) The funds under this subsection shall be appropriated by the governing body of the administrative jurisdiction of the court.

(ii) Expenditures from the funds shall be approved by the administrative judge of the court and shall be authorized and paid by laws governing the payment of county or municipal claims.

(C) The court security fee shall be used solely for court security measures identified in the court security report described under subsection (b) of this section.

/s/Bryant