

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: S3/23/21
A Bill

SENATE BILL 550

By: Senator A. Clark
By: Representative A. Collins

For An Act To Be Entitled

AN ACT CONCERNING THE FEE CHARGED FOR A PHONE CALL BY
AN INMATE IN A CORRECTIONAL FACILITY; AND FOR OTHER
PURPOSES.

Subtitle

CONCERNING THE FEE CHARGED FOR A PHONE
CALL BY AN INMATE IN A CORRECTIONAL
FACILITY.

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

SECTION 1. Arkansas Code Title 12, Chapter 29, Subchapter 1, is amended to add an additional section to read as follows:

12-29-119. Inmate telephone calls.

For an inmate making an intrastate telephone call from a Division of Correction facility or Division of Community Correction facility:

(1) The cost per minute shall not be more than the maximum cost per minute of an interstate inmate telephone call as determined by the Federal Communications Commission as of January 1, 2021; and

(2) Ancillary service charges shall not be permitted except an ancillary service charge of a type and up to an amount authorized by the Federal Communications Commission for an interstate inmate telephone call as of January 1, 2021.

SECTION 2. Arkansas Code § 12-41-105 is amended to read as follows:

12-41-105. Commissions from ~~prisoner~~ inmate telephone services and



profits from ~~prisoner~~ inmate commissary services.

(a)(1)(A) Commissions derived from ~~prisoner~~ inmate telephone services, if the inmate telephone service is provided by the county or regional detention facility, and profits earned from ~~prisoner~~ inmate commissary services provided in the various county and regional detention facilities in the state shall be deposited with the county treasurer of the county in which the county or regional detention facility is located, ~~and the~~.

(B) The county treasurer shall credit the funds collected under subdivision (a)(1)(A) of this section to the county sheriff's office fund.

(2)(A) The county sheriff's office fund is an agency fund defined by the County Financial Management System as a fund used to account for funds held by the county treasurer as an agent for a governmental unit until transferred by check or county court order to the county sheriff or other governmental unit for the intended uses of the funds.

(B) The transfer of funds to the county sheriff or other governmental unit under this subsection is not subject to an appropriation by the quorum court or to the county claims process.

(3) Arkansas Legislative Audit shall review actions described in this subsection for substantial compliance with this section.

(b)(1) Of the commissions and profits deposited into the county sheriff's office fund in each county under subsection (a) of this section, one hundred percent (100%) shall be credited to the county sheriff's office communications facility and equipment fund under § 21-6-307.

(2) Each county sheriff's office shall allocate for the maintenance and operation of the county jail up to seventy-five percent (75%) of the commissions and profits deposited into the county sheriff's office communications facility and equipment fund.

(c) This section does not apply to funds derived from ~~prisoner~~ inmate telephone services or ~~prisoner~~ inmate commissary services provided in Division of Correction facilities or Division of Community Correction facilities or in municipally owned detention facilities or in county detention facilities in counties with a population of one hundred seventy-five thousand (175,000) or more according to the latest federal decennial census.

(d) For an inmate making an intrastate telephone call from a regional

or local detention facility:

(1) The cost per minute shall be thirty cents (30¢) or no more than the maximum cost per minute of an interstate inmate telephone call as determined by the Federal Communications Commission as of January 1, 2021, whichever is higher; and

(2) Ancillary service charges shall not be permitted except an ancillary service charge of a type and up to an amount authorized by the Federal Communications Commission for an interstate inmate telephone call as of January 1, 2021.

/s/A. Clark