

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

HOUSE BILL 1414

By: Representative Lundstrum

By: Senator Irvin

For An Act To Be Entitled

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

Subtitle

TO AMEND ARKANSAS LAW CONCERNING THE
ESTABLISHMENT OF A STATEWIDE INTEGRATED
SYSTEM FOR THE ASSESSMENT AND COLLECTION
OF FINES, PENALTIES, FEES, COSTS, AND
RESTITUTION.

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

SECTION 1. DO NOT CODIFY. LEGISLATIVE FINDINGS. (a) The General Assembly finds that:

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

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

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

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



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

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

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

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

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

- (1) Law enforcement agencies and officials;
- (2) Circuit courts;
- (3) District courts;
- (4) Court clerks;
- (5) Defendants;
- (6) Victims; and
- (7) The public.

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

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

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

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

(i) State income tax refunds;

(ii) Legal settlements or favorable verdicts;

(iii) Lottery winnings; and

(iv) Any moneys or property forfeited by the state.

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

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