

ORDINANCE NO. 2023-1

**BE IT ORDAINED AND ENACTED BY THE QUORUM COURT OF THE COUNTY OF DESHA, STATE OF ARKANSAS, AN ORDINANCE ENTITLED:**

**AN ORDINANCE AUTHORIZING THE LEVY OF AN ADDITIONAL TWENTY DOLLAR (\$20.00) FINE TO HELP DEFRAY THE EXPENSE OF INCARCERATING PRISONERS PURSUANT TO ACT 209 OF 2009; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Arkansas General Assembly has now passed Act 209 of 2009, which authorizes the County, by Ordinance, to levy an additional Twenty Dollar (\$20.00) fine to help defray the expense of incarcerating prisoners; and

**WHEREAS**, Desha County does not operate its own County Jail but must pay other detention centers to incarcerate Desha County Prisoners, the additional fines to be levied by this Ordinance under authority of Act 209 of 2009 used for maintenance, operation, and capital expenditures of the County Jail or as otherwise permitted under Act 209 of 2009; and

**WHEREAS**, the Arkansas General Assembly provided that it is the intent of Act 209 of 2009 that revenues derived from the additional fines levied under authority of said Act shall not offset or reduce funding from other sources for the maintenance, operation, and capital expenditures of detention facilities; and

**WHEREAS**, it is in the best interests and welfare of the citizens of Desha County, Arkansas that an additional fine to Twenty Dollars (\$20.00) be levied and collected from each defendant who pleads guilty or nolo contendere to, is found guilty of, or forfeits bond for any misdemeanor or violation in the District Court of Desha County, Arkansas and the individual departments thereof;

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY  
THE QUORUM COURT OF DESHA COUNTY, ARKANSAS:**

**SECTION 1:** Under authority of Act 209 of 2009, there is hereby levied and shall be collected an additional fine in the amount of Twenty Dollars (\$20.00) from each defendant upon each conviction, each plea of guilty or nolo contendere, or each bond forfeiture in all cases in the first and second class of accounting records as described in A.C.A. 16-17-707. The additional fine shall apply to each charge, count, violation or offense that a defendant pleads guilty or nolo contendere to, is found guilty of, or forfeits bond for, including each misdemeanor or violation.

**SECTION 2:** All additional fine levied in Section 1 herein above shall apply to all applicable cases brought before all District Courts and Departments thereof that now exist and in operation, or may hereafter be created and placed into operation, within Desha County.

**SECTION 3:** All additional fine levied and collected under the provisions of this Ordinance shall be deposited into a special fund within the County Treasury to be used for the maintenance, operation, and capital expenditures of the County Jail or as otherwise specifically permitted under the provisions of Act 209 of 2009.

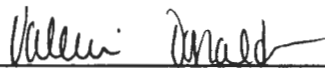
**SECTION 4:** All Ordinances or parts of Ordinance found to be in conflict herewith.

**SECTION 5:** This Ordinance shall take effect, and be in full and effect, immediately upon its passage, approval, and publication as required by law.

Signed this 31<sup>st</sup> day of January, 2023

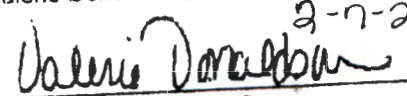
  
Richard Tindall, Desha County Judge

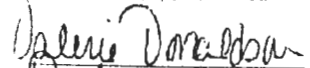
2-7-23  
Date

  
Valerie Donaldson, Desha County Clerk

2-7-23  
Date

**FILE**  
Valerie Donaldson, Desha County Clerk  
2-7-2023

**RECORD**  
Valerie Donaldson, Desha County Clerk  
2-7-2023  
  
By: Patricia Collins Deputy

  
Date: Collins