

City of Conway, Arkansas Ordinance No. <u>O-11-59</u> Doc#2011 - 13106
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Faulkner County
RHONDA WHARTON
FAULKNER COUNTY CIRCUIT CLERK
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___D.C.

AN ORDINANCE AUTHORIZING A CREDIT CARD TRANSACTION FEE TO BE COLLECTED BY THE DISTRICT COURT OF FAULKNER COUNTY; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, due to changes in state law, there exists an opportunity to implement a fee for processing payments by credit card authorized by law and performed by District Court personnel;

WHEREAS, Arkansas Code Ann. § 16-13-706 as amended by Act 1218 of 2011 authorizes the District Court pursuant to § 16-13-709 or § 16-92-118 to accept payment of fines and associated costs by an approved credit card or debit card and when the offender pays fines or court costs by an approved credit card or debit card, the court may assess the offender a transaction fee;

WHEREAS, Arkansas Code Ann. § 16-92-118 (e) as amended by Act 1218 of 2011 authorizes the city council of the City of Conway to establish a transaction fee to be charged by District Court pursuant to Arkansas Code Ann. § 16-13-709 for the collection of fines assessed in that District Court for any electronic payment of a court-ordered fine by an approved credit card or debit card.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS,

- **Section 1.** Pursuant to Arkansas Code § 16-92-118(e) as amended by Act 1218 of 2011, there is hereby established a credit card transaction fee in the amount of \$2.00 for each and every individual for whom the District Court receipts a payment made by credit card in the amount of \$200.00 or less authorized by law.
- **Section 2.** Pursuant to Arkansas Code § 16-92-118(e) as amended by Act 1218 of 2011, there is hereby established a credit card transaction fee in the amount of \$5.00 for each and every individual for whom the District Court receipts a payment made by credit card in any amount over \$200.00 which is authorized by law.
- Section 3. The fees established herein as provided for in Arkansas Code Ann. § 16-92-118 (e)(1) and (2) as amended by Act 1218 of 2011 collected by the city shall be deposited by

the tenth day of each month in the appropriate district court automation fund, established under § 16-13-704 to be used solely for the purposes stated in that section.

Section 4. That any ordinances in conflict herewith are hereby repealed to the extent of that conflict.

Section 5. That this ordinance is necessary for the protection of the peace, health and safety of the citizens of Conway, and therefore, an emergency is declared to exist, and this ordinance shall go into immediately upon passage and its provisions shall be begin as of September 1, 2011.

PASSED this 26th day of July, 2011.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett City Clerk/Treasurer