

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

HOUSE BILL 1503

4
5 By: Representatives Thomas, Magnus, Faris, Rodgers, Johnson, Broadway, Bryant, Hendren, Milum, Mullenix, and Critcher
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For An Act To Be Entitled

9 "AN ACT TO REQUIRE INMATES WITH THE DEPARTMENT OF
10 CORRECTION TO PAY ATTORNEYS FEES AND COURT COSTS AND LOSE
11 PRIVILEGES FOR FRIVOLOUS LAWSUITS; AND FOR OTHER
12 PURPOSES."

Subtitle

15 "TO REQUIRE INMATES TO PAY ATTORNEYS
16 FEES AND COURT COSTS AND LOSE PRIVILEGES
17 FOR FRIVOLOUS LAWSUITS."

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

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21 SECTION 1. Definitions. As used in this act, unless the context
22 otherwise requires:

23 (1) "Frivolous" means having no reasonable basis in law or fact, or
24 lacking any good faith legal argument for the extension, modification, or
25 reversal of existing law, and shall also include actions summarily dismissed
26 pursuant to 42 U.S.C. § 1951 and affirmed, if appealed.

27 (2) "Inmate" means any person in the custody of the Department of
28 Correction or the Department of Community Punishment on the date that the
29 civil action was commenced.

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31 SECTION 2. Upon a written finding by any civil court authorized by the
32 State of Arkansas or the United States of America, that any civil action filed
33 by any inmate is frivolous, any inmate who is a party to the action may be
34 required by the Department of Correction or the Department of Community
35 Punishment, as applicable, to:

36 (1) Pay attorneys fees and court costs incurred by any agency, office,

1 or political subdivision of the State of Arkansas, not to exceed three
2 thousand dollars (\$3,000);

3 (2) Forfeit one thousand (1,000) earned good-time credits accrued under
4 Arkansas Code Ann. § 12-29-201 which are not yet vested;

5 (3) Forfeit the inmates permission to have non-essential personal
6 property, including but not limited to, televisions, radios, stereos, and tape
7 recorders.

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9 SECTION 3. The Departments of Correction and Community Punishment are
10 authorized to promulgate such rules and regulations as are necessary to
11 enforce this act.

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13 SECTION 4. All provisions of this act of a general and permanent nature
14 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
15 Revision Commission shall incorporate the same in the Code.

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17 SECTION 5. If any provision of this act or the application thereof to
18 any person or circumstance is held invalid, such invalidity shall not affect
19 other provisions or applications of the act which can be given effect without
20 the invalid provision or application, and to this end the provisions of this
21 act are declared to be severable.

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23 SECTION 6. All laws and parts of laws in conflict with this act are
24 hereby repealed.

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