

State of Arkansas
92nd General Assembly
Regular Session, 2019

As Engrossed: S2/21/19
A Bill

HOUSE BILL 1147

By: Representative Capp
By: Senator G. Stubblefield

For An Act To Be Entitled

AN ACT TO PERMIT THE REOPENING OF A CIRCUIT COURT
CASE WITHOUT THE PAYMENT OF A FILING FEE IN ORDER TO
ENFORCE A MONETARY JUDGMENT; AND FOR OTHER PURPOSES.

Subtitle

TO PERMIT THE REOPENING OF A CIRCUIT
COURT CASE WITHOUT THE PAYMENT OF A
FILING FEE IN ORDER TO ENFORCE A MONETARY
JUDGMENT.

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

SECTION 1. Arkansas Code § 21-6-403(e), concerning exceptions to the payment of a fee to reopen a circuit court case, is amended to read as follows:

(e)(1)(A) The fee established in subdivision (b)(3) of this section shall be assessed and collected by the circuit clerk to reopen a cause of action in which a final order has been entered, so long as the new claim involves the same parties and the same issues as were present in the initial cause of action.

(B) Otherwise, the circuit clerk shall assess and collect the fee established in subdivision (b)(1) of this section.

(2) A fee shall not be charged or collected by the clerks of the circuit courts for reopening a cause of action in the circuit court under the following circumstances:

(A) Application is made for revocation of conditional



release of insanity acquittees pursuant to under § 5-2-316; ~~or~~

(B) An agreed order or an order of income withholding is presented to be filed, and a service of process is not required; or

(C) A party to the original cause of action for whom a judgment for monetary damages was entered attempts to enforce the monetary judgment by filing a pleading or through other court action, if the pleading is filed or court action is taken within twelve (12) months of issuance of the final judgment in the case.

/s/Capp

APPROVED: 2/28/19