

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

HOUSE BILL 1119

By: Representatives Lundstrum, Penzo

By: Senator L. Eads

For An Act To Be Entitled

AN ACT CONCERNING THE FIRST AND SECOND DISTRICTS OF
THE STATE DISTRICT COURT SYSTEM; TO DECLARE AN
EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

CONCERNING THE FIRST AND SECOND DISTRICTS
OF THE STATE DISTRICT COURT SYSTEM; AND
TO DECLARE AN EMERGENCY.

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

SECTION 1. Arkansas Code § 16-17-1110(1) and (2), concerning the First and Second Districts of the state district court system, are amended to read as follows:

(1)(A) The First District is composed of Benton County.

(B) The First District has ~~fourteen (14)~~ thirteen (13) departments as follows:

- (i) One (1) located in Rogers;
- (ii) One (1) located in Bentonville;
- (iii) One (1) located in Siloam Springs;
- (iv) One (1) located in Gentry;
- (v) One (1) located in Decatur;
- ~~(vi) One (1) located in Bethel Heights;~~
- ~~(vii)~~(vi) One (1) located in Cave Springs;
- ~~(viii)~~(vii) One (1) located in Centerton;
- ~~(ix)~~(viii) One (1) located in Gravette;



- ~~(x)~~(ix) One (1) located in Little Flock;
- ~~(xi)~~(x) One (1) located in Lowell;
- ~~(xii)~~(xi) One (1) located in Pea Ridge;
- ~~(xiii)~~(xii) One (1) located in Sulphur Springs; and
- ~~(xiv)~~(xiii) One (1) located in Bella Vista.

(C)(i) The district is served by four (4) state district court judges.

(ii) One (1) judgeship shall be designated as Division 1.

(iii) One (1) judgeship shall be designated as Division 2.

(iv) One (1) judgeship shall be designated as Division 3.

(v) One (1) judgeship shall be designated as Division 4.

(D) The assignment of judges to departments under subdivision (1)(B) of this section is determined by the mutual agreement of the state district court judges.

(E) For the purpose of venue, the district court boundaries in Benton County are as follows:

(i) Division 1 – Rogers District Court:

(a) All of District 94, District 95, and District 96 of the House of Representatives as drawn by The Board of Apportionment in 2002;

(b) That part of District 98 of the House of Representatives as drawn by The Board of Apportionment in 2002 that is in Benton County Quorum Court District 1 as established by the Benton County Election Commission;

(c) That part of Benton County Quorum Court District 6 as established by the Benton County Election Commission that is in District 96 and District 98 of the House of Representatives as drawn by The Board of Apportionment in 2002; and

(d) All of precinct 43, precinct 44, and precinct 49 as they existed on January 1, 2011;

(ii) Division 2 – Bentonville District Court:

(a) All of District 7, District 8, District 9,

and District 10 except for the now-existing precinct 22, of the Benton County Quorum Court as established by the Benton County Election Commission;

(b) All of District 99 of the House of Representatives as drawn by The Board of Apportionment in 2002 except for the now-existing precinct 43, precinct 44, and precinct 49; and

(c) All of precinct 45 as it existed on January 1, 2011;

(iii) Division 3 – Siloam Springs District Court:

(a) All of District 97 of the House of Representatives as drawn by The Board of Apportionment in 2002; and

(b) All of precinct 7, precinct 14, precinct 16, and precinct 17 as they existed on January 1, 2011; and

(iv) Division 4 – Benton County West District Court:

(a) All of Benton County Quorum Court District 11 as established by the Benton County Election Commission; and

(b) All of precinct 6, precinct 15, precinct 18, precinct 19, and precinct 22 as they existed on January 1, 2011.

(F) The First District judges are elected districtwide.

(G) The First District court has districtwide jurisdiction;

(2)(A) The Second District shall be composed of Washington County and the city limits of Springdale ~~as of January 1, 2011, including that portion of the City of Springdale which extends~~ that extend into Benton County.

(B) The Second District shall have ten (10) departments as follows:

(i) One (1) located in Springdale;

(ii) One (1) located in Elm Springs;

(iii) One (1) located in Johnson;

(iv) One (1) located in Fayetteville;

(v) One (1) located in Elkins;

(vi) One (1) located in West Fork;

(vii) One (1) located in Greenland;

(viii) One (1) located in Prairie Grove;

(ix) One (1) located in Lincoln; and

(x) One (1) located in Farmington.

(C) The Second District shall be served by four (4) state district court judges:

(i) One (1) judgeship shall be designated as Division 1;

(ii) One (1) judgeship shall be designated as Division 2;

(iii) One (1) judgeship shall be designated as Division 3; and

(iv) One (1) judgeship shall be designated as Division 4.

(D) The presiding judge of the departments under subdivision (2)(B) of this section shall be determined by the mutual agreement of the state district court judges of the Second District.

(E) The Second District judges shall be elected districtwide.

(F) The Second District court shall have districtwide jurisdiction;

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the town of Bethel Heights was annexed into the city of Springdale in August of 2020 by a vote of the people. Because of the annexation, the status of the Bethel Heights District Court has not been clearly established under current law, as the city of Bethel Heights has ceased to exist. Immediate amendment to the state district court statutes is necessary for the smooth transition of the district courts of the First and Second Judicial Districts. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto. **APPROVED: 2/9/21**