

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
90th General Assembly
Regular Session, 2015

As Engrossed: S3/10/15
A Bill

HOUSE BILL 1193

By: Representatives Speaks, Bentley, Baltz, Jett, Ratliff, Lemons
By: Senator Collins-Smith

For An Act To Be Entitled

AN ACT TO CLARIFY THAT DISTRICT COURT FEES SHALL BE CREDITED TO THE GENERAL FUND OF THE COUNTY; AND FOR OTHER PURPOSES.

Subtitle

TO CLARIFY THAT DISTRICT COURT FEES SHALL BE CREDITED TO THE GENERAL FUND OF THE COUNTY.

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

SECTION 1. Arkansas Code § 16-17-115 is amended to read as follows:

16-17-115. County's, town's, and city's portion of district court expenses – Appropriation. [Effective January 1, 2012.]

(a) Except as authorized otherwise, the county ~~wherein~~ in which a district court is held shall pay one-half (1/2) of the salaries of the district court judge and each chief district court clerk of any district court organized in that county under ~~the provisions of~~ § 16-17-901 et seq., and the quorum court in a county subject to ~~the provisions of~~ § 16-17-901 et seq. ~~shall,~~ shall at its annual meeting, shall make an appropriation of a sum sufficient to pay the county's proportion of the expenses of any such district court. These payments shall be made out of the ~~district court cost fund and~~ general revenues of the county.

(b)(1)(A) Except as authorized otherwise, the town or city in which a district court is held shall pay:

(i) One-half (1/2) of the salaries of the district



court judge and the chief district court clerk; and

(ii) The operational expenses of the district court organized in that town or city under ~~the provisions of~~ § 16-17-901 et seq. unless otherwise agreed to by the political subdivisions ~~which~~ that contribute to the expenses of the district court.

(B) The governing body of the town or city in a town or city subject to ~~the provisions of~~ § 16-17-901 et seq. shall make at its annual meeting an appropriation of a sum sufficient to pay the town's or city's proportion of the salaries and operational expenses of the district court.

(2) These payments shall be made out of the ~~district court cost fund and~~ general revenues of the town or city.

(c)(1) Any town or city operating a city court on December 31, 2011, that becomes a department of a district court shall continue to pay the amount paid as the base salary of the city court judge to the district court judge who has assumed the responsibility of attending the former city court.

(2) The base salary to be paid to the district court judge under subdivision (c)(1) of this section in calendar year 2012 and subsequent years shall be the amount paid by the city or town to the city court judge for the calendar year 2011.

~~(3) The local salary supplement described in subdivision (c)(1) of this section shall not be used when calculating any retirement benefit in the Arkansas District Judge Retirement System, § 24-8-801 et seq. [Repealed].~~

(d)(1) A town or city operating a city court on December 31, 2011, that becomes a department of district court shall continue to pay the salary of the district court clerk and provide for the operational expenses of that department of district court unless otherwise agreed to by the political subdivisions ~~which~~ that contribute to the expenses of the district court.

(2) Subdivision (d)(1) of this section ~~shall~~ does not apply to any town or city ~~which~~ that has abolished a department of district court pursuant to state law.

(e) A district court operated solely by the county shall have the salaries and operational expenses of that district court paid solely by the county unless otherwise agreed to by the political subdivisions ~~which~~ that contribute to the expenses of the district court.

SECTION 2. Arkansas Code § 16-17-124 is amended to read as follows:
16-17-124. Fee for appeal transcript – Disposition.

(a) When required to make a certification of disposition of court proceedings, including without limitation certified copies of the docket, certified copies of civil or small claims judgments, and appeal transcripts, the district court shall collect a fee of not less than five dollars (\$5.00) per case for preparation of the original.

(b) All funds derived from the fee shall be paid into the general fund of the treasury of each political subdivision ~~which~~ that contributes to the expenses of the district court based on the percentage of the expenses contributed by the political subdivision to be appropriated for any permissible use in the administration of the district court.

SECTION 3. Arkansas Code § 16-17-126 is amended to read as follows:
16-17-126. Fee for filing and issuing writs of garnishment and

executions – Disposition.

(a)(1) The district court clerk shall collect a fee of ten dollars (\$10.00) for filing or issuing writs of garnishment and executions.

(2) This fee is in addition to ~~those~~ fees and costs established by law for specific purposes or ~~where~~ as authorized by the county quorum court or municipality.

(b) All funds derived from the fee shall be paid into the general fund of the treasury of each political subdivision ~~which~~ that contributes to the expenses of the district court based on the percentage of the expenses contributed by the political subdivision to be appropriated for any permissible use in the administration of the district court.

/s/Speaks