

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

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

HOUSE BILL 1664

By: Representative Gazaway

For An Act To Be Entitled

AN ACT TO AMEND ARKANSAS LAW CONCERNING THE
MEMBERSHIP OF COUNTY LAW LIBRARY BOARDS; AND FOR
OTHER PURPOSES.

Subtitle

TO AMEND ARKANSAS LAW CONCERNING THE
MEMBERSHIP OF COUNTY LAW LIBRARY BOARDS.

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

SECTION 1. Arkansas Code § 16-23-102 is amended to read as follows:
16-23-102. County law library boards.

(a)(1) A county law library established pursuant to this chapter shall be under the control of a county law library board of not less than three (3) nor more than five (5) persons, who shall be practicing attorneys residing in the county and who shall be appointed by the county court from attorneys nominated by the county bar association or, in counties where there is no county bar association, by a regional bar association which includes that county.

(2) In any county in which there are fewer than three (3) practicing attorneys, the board shall be composed of not less than three (3) nor more than five (5) persons, including the practicing attorney or attorneys in the county together with one (1) or more additional persons who are legal residents and qualified electors of the county, appointed by the county court.

~~(b)~~(3) Members of the board under this subsection (a) shall be appointed for a term of five (5) years, but the initial appointments shall be



so arranged that the terms of each member initially appointed expire in succeeding years.

(4) A vacancy on the board shall be filled in the manner of the original appointment for the remainder of the term.

(b)(1) In addition to the members of the board appointed under subsection (a) of this section, the following shall be appointed to the board by the county court:

(A) One (1) circuit court judge residing in the county or presiding over a circuit court in the county; and

(B) One (1) district court judge residing in the county or presiding over a district court in the county.

(2) The appointment of a circuit court judge and district court judge under subdivision (b)(1) of this section:

(A) Shall be for a term of two (2) years;

(B) Shall begin on the first day of January following a general election; and

(C) May be for consecutive or nonconsecutive terms.

(3) A vacancy in an appointment of a circuit court judge or district court judge under subsection (b)(1) of this section shall be filled in the manner of the original appointment for the remainder of the term.

(c)(1) The board shall have charge of the operation and maintenance of the county law library and the custody and care of the county law library's property. The board shall direct the expenditure of funds derived for county law library purposes under this chapter, and any other funds received by the county, or the board, for the use of the county law library.

(2) Any excess funds in the county law library book fund not needed for the operation and maintenance of the county law library may be expended by the board for any other purpose necessary for improvement in the administration of justice in the county.

(3)(A) The board may dispose of any personal property of the county law library it determines is junk, scrap, discarded, or otherwise of no value to the county law library.

(B) The board may dispose of the personal property under subdivision (c)(3)(A) of this section by methods that include without limitation private sale, public sale, gift, or destruction.

(d)(1) The board, subject to approval of the county court, is

authorized, in implementation of the purposes of this chapter, to enter into agreements with any person, including other public bodies, in this state pertaining to the operation and maintenance of a county law library.

(2) Without limiting the generality of the foregoing, agreements entered into pursuant to the provisions hereof may contain provisions:

(A) Making available to any institution of higher learning the county law library, and related facilities, and the books, volumes, treatises, pamphlets, and other educational materials located therein;

(B) Authorizing the institution to maintain, locate, and relocate in the county law library, select, replace, supervise the use of, buy, sell, lend, borrow, receive bequests and donations of, and otherwise deal in and contract concerning, such books, volumes, treatises, pamphlets, and other educational materials; and

(C) Providing for the operation, maintenance, and supervision of the county law library and related facilities for the benefit of the institution, the county, judges and attorneys, and the public.

(3) The agreements may make available to the institution all or a portion of the collections of the costs levied pursuant to the provisions of this chapter, for the purpose of performing the obligations of the institution thereunder.

SECTION 2. DO NOT CODIFY. IMPLEMENTATION OF ADDITIONAL MEMBERS OF COUNTY LAW LIBRARY BOARDS. (a) Within thirty (30) days of the effective date of this act, the county court shall make initial appointments to a county law library board under § 16-23-102(b).

(b) The initial appointments under subsection (a) of this section shall expire on the first day of January following the next general election.

(c) Subsequent appointments under § 16-23-102(b) shall be for a term of two (2) years.