

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

SENATE BILL 374

By: Senator M. McKee
By: Representative Schulz

For An Act To Be Entitled

AN ACT TO AMEND THE LAWS RELATING TO A COUNTY
TREASURER AND THE FINANCIAL OPERATIONS OF A COUNTY;
TO AMEND THE ARKANSAS COUNTY ACCOUNTING LAW OF 1973;
TO AMEND THE LAW RELATING TO DISTRIBUTION OF
DELINQUENT PROPERTY TAX PAYMENTS AND OTHER FUNDS BY A
COUNTY TREASURER; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAWS RELATING TO A COUNTY
TREASURER AND THE FINANCIAL OPERATIONS OF
A COUNTY.

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

SECTION 1. Arkansas Code § 14-15-807 is amended to read as follows:

14-15-807. Accounting of ~~moneys~~ revenue received and disbursed.

(a) A county treasurer shall keep a true and just account of all ~~moneys~~ revenue received and disbursed ~~and a regular abstract of all warrants paid by him or her.~~

(b) A treasurer shall make duplicate receipts, in accordance with § 14-25-108, in favor of the proper person for all ~~moneys~~ revenue paid into the treasury and keep ~~the books, papers, and money~~ all financial records pertaining to his or her office at all times ready for ~~the~~ inspection as public records of the county ~~of the county court or the presiding judge thereof.~~

(c)(1) A treasurer shall furnish the county quorum court and the



county judge with an account of the receipts and expenditures of the county not previously accounted for at each ~~term~~ regular meeting of the county quorum court, ~~if required~~.

(2) The county judge and the county quorum court may request from the county treasurer any county financial information needed to make sound financial decisions for the county.

SECTION 2. Arkansas Code § 14-21-102(c), concerning the county annual financial report, is amended to read as follows:

(c) All costs associated with the publication of the annual financial report of the county ~~may be prorated equally between the clerk of the county court and~~ shall be charged to the budget of the county treasurer.

SECTION 3. Arkansas Code § 14-25-114 is amended to read as follows:

14-25-114. County treasurer.

(a)(1) The county treasurer shall receive and receipt ~~for all moneys revenue~~ payable to the county treasury and pay and disburse ~~them on warrants or~~ the revenue on checks drawn by order of the county court.

(2) The treasurer shall keep a true and accurate account of all ~~moneys revenue~~ received and disbursed and a true and accurate record of all ~~warrants or~~ checks paid by him or her.

(3) The treasurer shall maintain and issue prenumbered receipts for all ~~moneys revenue~~ paid into the treasury in accordance with § 14-25-108.

(b) The treasurer shall establish and maintain the following accounting practices, in relation to the operations of the office:

(1) ~~The number and date of checks paying warrants where the county is using a system of paying several warrants presented by the bank shall be identified with the warrants in posting to the treasurer's book or record of accounts;~~

(2) ~~The check number and its date shall be entered on the warrant, and the warrant number and its date shall be entered on the face of the check and on the check stub, as well as the account represented;~~

(3) Postings to the treasurer's ~~book or record of accounts of warrants and~~ county financial record of checks shall be under the transaction date on the instruments, not the date the items are entered in the ~~books or records of accounts~~ county financial records;

~~(4)~~(2) Banks shall be requested to present all ~~warrants~~ checks held at the end of the month promptly so that they may be included in the treasurer's ~~book or record of accounts~~ county financial records in the month to which they pertain with the bank statement cycle for county funds ending on the final day of the month;

~~(5)~~(3) All funds in the treasurer's ~~book or record of accounts~~ county financial records shall be reconciled with the bank at least monthly. Reconciliations shall be retained and filed with the bank statements;

~~(6)~~(4) Clear reference shall be made in the treasurer's ~~book or record of accounts~~ county financial records as to the origins of all ~~moneys~~ revenue. This may be by notation citing the origin, date, receipt number, and other pertinent information;

~~(7)~~(5) Transfers shall clearly state the fund to which the ~~moneys are~~ revenue is being transferred, and the recipient fund shall state the origin of ~~its receipt~~ the transfer received;

~~(8)~~(6) A brief explanation of the computation of the treasurer's commission to provide a clear and permanent record of how the commission was determined shall be maintained and shall comply with § 21-6-302;

~~(9)~~(7) Corrections to the treasurer's ~~book or records of accounts~~ county financial records shall be entered at the time of discovery and under the date of the entry into the treasurer's records. A notation shall be made at the erroneous balance if it is at a previous date, but under no circumstances shall a previous month's balance be changed when it has been brought forward into the succeeding period;

~~(10)~~(8) Receipts shall be prepared for all ~~moneys~~ revenue received, but shall never be used to ~~effect~~ make any other type of accounting transaction. ~~Bank deposits shall be intact, prompt, and identified as to type of receipts~~;

~~(11)~~(9) Copies of all receipts shall be retained, including copies of voided receipts;

(10) The treasurer shall maintain all bank accounts and financial records of accounts as prescribed by law in reference to the duties of his or her office. The bank accounts shall be maintained as prescribed in § 14-25-102;

(11) Bank deposits shall be prompt, identified as to receipt numbers, and deposited in the same form as collected;

(12) Printers' certificates shall be obtained and kept for each printing order of formally prenumbered receipts in compliance with § 14-25-108;

(13) All balances on the treasurer's ~~book~~ county financial records not belonging to the county and awaiting clearance shall be remitted on or before December 31, or promptly thereafter, ~~as of December 31~~; and

(14) Municipal fund revenue shall be remitted to the municipality by separate check or electronic transfer for each appropriate dedicated municipal fund.

SECTION 4. Arkansas Code § 26-36-209(b)(2), concerning the time and manner of the collection and distribution of delinquent personal property taxes, is amended to read as follows:

(2) However, upon a certificate of distribution of the amounts collected under this section being prepared by the county clerk, county collector, or other county officer designated pursuant to § 26-28-102(a), which certificate shall be issued on or before the ~~thirtieth~~ fifteenth day of each month, the county treasurer shall transfer to the various funds the amount due each fund.

SECTION 5. Arkansas Code § 26-37-109(c), concerning the redemption of tax-delinquent real property, is amended to read as follows:

(c) The county collector shall pay over to the county treasurer on the first of each month or within ten (10) days thereafter all amounts collected under this section. However, upon a certificate of distribution of the amounts collected under this section being prepared by the county clerk, ~~or~~ county collector, or other county officer designated pursuant to § 26-28-102(a), which certificate of distribution shall be issued on or before the ~~thirtieth~~ fifteenth day of each month, the county treasurer shall transfer to the various funds the amount due each fund, such as the county, school, or municipality fund, from the amounts collected under this section.

SECTION 6. Arkansas Code § 26-39-201(b)(2), concerning the time for payment of county funds by a county treasurer, is amended to read as follows:

(2) Upon the issuance of a certificate of the county clerk or other county officer designated pursuant to § 26-28-102(a) that is issued on

or before the ~~thirtieth~~ fifteenth day of each month, the county treasurer shall transfer to the various funds ninety percent (90%) of the advance payments made by the county collector during the collecting period and, upon final settlement, the proper adjustments shall be made with the various accounts, and the balance remaining in the unapportioned account shall be distributed upon order of the county court approving the final settlement of the county collector.