

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

State of Arkansas *As Engrossed: H2/18/25 H3/5/25 H4/1/25*
95th General Assembly **A Bill**
Regular Session, 2025

HOUSE BILL 1178

By: Representative R. Scott Richardson

By: Senator D. Wallace

For An Act To Be Entitled

CONCERNING MUNICIPAL ORDINANCE VIOLATIONS; TO AMEND THE LAW CONCERNING THE CONTRACTING OF A MUNICIPAL ATTORNEY; TO AMEND THE LAW CONCERNING SUMS COLLECTED BY DISTRICT COURTS; TO AMEND THE LAW CONCERNING COST SHARING FOR DISTRICT COURT EXPENSES; TO ENSURE THE APPROPRIATE DISTRIBUTION OF SUMS COLLECTED BY THE DISTRICT COURT; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING THE CONTRACTING OF A MUNICIPAL ATTORNEY; TO AMEND THE LAW CONCERNING SUMS COLLECTED BY DISTRICT COURTS; AND TO AMEND THE LAW CONCERNING COST SHARING FOR DISTRICT COURT EXPENSES.

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

SECTION 1. DO NOT CODIFY. Legislative intent.

The General Assembly intends this act to:

(1) Clarify the law concerning the collection and distribution of sums collected by a district court; and

(2) Provide a mechanism for cities and incorporated towns that do not operate a district court and do not have a police department to receive the appropriate distribution of sums collected by the district court to ensure remediation.



SECTION 2. Arkansas Code § 14-42-112(a), concerning municipal attorneys for cities of the second class and incorporated towns, is amended to add an additional subdivision to read as follows:

(3) A city of the second class or an incorporated town that chooses not to have an office of city attorney may contract with an attorney for legal representation.

SECTION 3. Arkansas Code § 16-17-707 is amended to read as follows:

16-17-707. Separate accounting records of fines, etc. – Disbursements.

(a) The district court clerk shall keep three (3) separate accounting records of all fines, penalties, forfeitures, fees, and costs received by him or her for any of the officers of the town, city, or county, as provided in this subchapter:

(1) The first class of accounting records shall embrace all sums collected in the district court in:

(A) ~~all~~ All nontraffic cases which are misdemeanors or violations of the ~~town or city~~ ordinances of a town or city in the district where the arresting or citing officer was a law enforcement officer or code enforcement officer employed by the town or city; and

(B) ~~all~~ All cases which are misdemeanors or violations under state law or traffic offenses which are misdemeanors or violations under state law or town or city ordinance committed within the corporate limits of the town or city where the court sits, where the arresting officer was a police officer or other officer of the town or city, a Division of Arkansas State Police officer or other certified law enforcement officer of the state, or an officer of a private or public college or university located within the corporate limits of the town or city where the court sits;

(2) The second class of accounting records shall embrace all sums collected in the district court in all nontraffic cases which are misdemeanors or violations of county ordinances or are misdemeanors or violations of any of the laws of the state where the arresting officer was the county sheriff or a deputy sheriff or was not a police officer or other officer of ~~the~~ a town or city where the court sits in the district, and the offense was committed outside the corporate limits of the town or city where the court sits, and in all other criminal or traffic proceedings not specifically enumerated in this section; and

(3)(A) The third class of accounting records shall embrace all sums collected in the district court in all civil and small claims cases.

(B) The uniform filing fee collected under § 16-17-705 shall be remitted to the city administration of justice fund.

(C) The uniform court costs collected under § 16-10-305 shall be remitted to the city administration of justice fund.

(D) All other fees and interest earned on the court account shall be disbursed to the treasurers of the political subdivisions which contribute to the expense of the district court in accordance with a written agreement among the political subdivisions.

(b)(1)(A) After deducting the fees due the police department and marshal's office and sheriff's office, the district court shall pay into ~~the~~ each town or city treasury all sums collected from the first class of accounting records for that town or city.

(B) The district court shall pay all sums collected from the second class of accounting records into the county treasury.

(2) Any district court that is funded solely by the county shall pay all sums collected from the first or second class of accounting records into the county treasury and shall pay all uniform filing fees and court costs collected into the county administration of justice fund.

(3) A town or city that ~~has a police department and~~ does not operate a district court shall receive only the prorated sums collected as provided in § 16-17-1203.

(4) Direct monetary settlements shall be made with state entities or agencies as provided by law.

(c) All disbursements from all three (3) classes of accounting records shall be pursuant to the provisions set forth in the Arkansas District Courts Accounting Law, § 16-10-201 et seq.

SECTION 4. Arkansas Code § 16-17-1203(a)(1), concerning the procedure for cost sharing for expenses of a district court, is amended to read as follows:

(a)(1)(A) Any town or city that ~~has a police department but~~ does not have a district court may contribute to the operational expenses of the nearest district court in the county where the town or city is located pursuant to a written agreement.

(B) A written agreement is mandatory and is to be entered into between the governing body of the town or city where the district court sits and the governing bodies of the political subdivisions that contribute to the operational expenses of the district court.

/s/R. Scott Richardson