

Act 99 of the Third Special Session of 1989.

Act 99

HB1081

By: Representative Forgey

Call Item 45

For An Act To Be Entitled
"AN ACT TO AMEND ARKANSAS CODE 24-8-303 PERTAINING TO FUNDS
FOR RETIREMENT BENEFITS FOR MUNICIPAL JUDGES; TO DECLARE AN
EMERGENCY; AND FOR OTHER PURPOSES."

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

SECTION 1. Arkansas Code 24-8-303 is hereby amended to read as follows:
"24-8-303. Source and collection of funds.

(a) To provide funds for the retirement benefits provided in this subchapter, costs, in addition to the costs now provided by law, shall be assessed as follows:

(1) A fee of one dollar (\$1.00) for entering upon the records of the court each criminal case and each moving traffic violation; and

(2) A fee of twenty cents (20_) for the issuance of each summons in a civil action.

(b) In any municipality located in a county having a population of at least seventeen thousand five hundred (17,500) but not more than seventeen thousand nine hundred (17,900) or in any county or in any municipality located in a county having a population of at least twenty-six thousand five hundred (26,500) but not more than twenty-six thousand seven hundred and fifty (26,750), according to the 1980 Federal Decennial Census, the governing body of the municipality may, in lieu of the levy provided for in subsection (a) of this section, levy a fee of three dollars (\$3.00) for entering upon the records of the court each criminal case and each moving traffic violation and a fee of one dollar (\$1.00) for the issuance of each summons in a civil action.

(c) The costs provided for in this section shall be collected by the same persons and in the same manner as provided for the collection of costs in municipal courts. The costs shall be paid to the city treasurer, who shall place them into an account as provided in this subchapter, for the sole purpose of payment of retirement benefits as provided by this subchapter."

SECTION 2. Notwithstanding the provisions of Ark. Code 24-8-301, et seq. any city whose population was greater than 1,500 but less than 1,700 as reported in the 1980 Federal Decennial Census which has a municipal court established by law after January 1, 1977, but prior to January 1, 1978, which has made contributions to the Arkansas Public Employees Retirement System on behalf of its clerk of the municipal court prior to the effective date of this Act may continue to participate in Arkansas Public Employees Retirement System and to make such contributions on behalf of its clerk and the clerk shall be entitled to retirement benefits from the Public Employees Retirement System only.

SECTION 3. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 4. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 5. EMERGENCY. It is hereby found and determined by the Seventy-Seventh General Assembly of the State of Arkansas meeting in the Third Extraordinary Session of 1989 that the cities in counties having a population between 26,500 and 26,750, according to the 1980 Federal Decennial Census, are suffering severe financial restraints in their capacity to raise money for the retirement systems of their municipal judges and clerks and that the limitations on the cities ability to levy these fees is seriously endangering the fiscal soundness of these retirement systems. Therefore, in order to help restore the municipal judge and clerk retirement systems in these cities to a sound financial condition, an emergency is hereby declared to exist, and this act being necessary for the immediate preservation of the public peace, health, and safety, shall be in full force and effect from and after its passage and approval.

APPROVED: November 17, 1989
