

1 State of Arkansas  
2 94th General Assembly  
3 Regular Session, 2023  
4

# A Bill

HOUSE BILL 1245

5 By: Representative Dalby  
6 By: Senator G. Stubblefield  
7

## For An Act To Be Entitled

9 AN ACT TO REQUIRE A LEGISLATIVE STUDY OF FINANCIAL  
10 MATTERS RELATED TO THE COURT SYSTEM; TO REQUIRE THE  
11 CONSIDERATION OF ANY LEGISLATIVE CHANGES NECESSARY TO  
12 ADDRESS ISSUES IDENTIFIED DURING THE STUDY OF  
13 FINANCIAL MATTERS RELATED TO THE COURT SYSTEM; AND  
14 FOR OTHER PURPOSES.  
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## Subtitle

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18 TO REQUIRE A LEGISLATIVE STUDY OF  
19 FINANCIAL MATTERS RELATED TO THE COURT  
20 SYSTEM; AND TO REQUIRE CONSIDERATION OF  
21 LEGISLATION NECESSARY TO ADDRESS ISSUES  
22 IDENTIFIED DURING THE STUDY.  
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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27 SECTION 1. TEMPORARY LANGUAGE. DO NOT CODIFY. Legislative study of  
28 financial matters related to the court system – Intent – Scope –  
29 Requirements.

30 (a) The General Assembly finds that:

31 (1) With the passage of Arkansas Constitution, Amendment 80, the  
32 judicial power was clearly vested in the judicial department of state  
33 government, but ambiguity exists concerning the funding and revenue sharing  
34 of the court system;

35 (2) A study by the legislature of the statutory funding of the  
36 court system is necessary to better understand whether the financial benefits



1 provided to municipalities, counties, and the state are equal to the amount  
 2 of funding provided by these entities;

3 (3) Substantial amounts of money are assessed on defendants by  
 4 the court system in the form of court costs, fees, and fines;

5 (4) The defendant paying the court costs, fees, and fines  
 6 assessed by the court system is often unable to do so in light of the  
 7 substantial increase of those court costs, fees, and fines over the past  
 8 decade;

9 (5) Many of the court costs, fees, and fines assessed by the  
 10 court system have little or nothing to do with the operations of an  
 11 individual court or the court system in its entirety; and

12 (6) The foregoing financial issues are inextricably linked to a  
 13 fair and equitable court system and ultimately should be studied and  
 14 potentially addressed by the General Assembly.

15 (b)(1) The House Committee on Judiciary and the Senate Committee on  
 16 Judiciary shall meet jointly to conduct a study of financial matters related  
 17 to the court system.

18 (2) Joint meetings for the purpose of conducting the study  
 19 required under this section shall be held at least one (1) time every three  
 20 (3) months but may occur more often at the call of the Chair of the House  
 21 Committee on Judiciary and the Chair of the Senate Committee on Judiciary.

22 (c)(1) The purpose of the study required under this section is to  
 23 study financial matters related to the court system and to consider related  
 24 legislation that may be necessary to remedy any issues identified during the  
 25 course of the study.

26 (2) The study required under this section shall include without  
 27 limitation a study of:

28 (A) All funding sources for the court system;

29 (B) The collections and distribution systems of the court  
 30 system;

31 (C) All other financial matters related to the court  
 32 system; and

33 (D) Legislation that may be necessary to address any  
 34 issues identified in the course of the study conducted under this section.

35 (d) In conducting the study required under this section, the House  
 36 Committee on Judiciary and the Senate Committee on Judiciary shall include

1 and consider input from interested parties, including without limitation:

- 2 (1) The Arkansas Supreme Court;
- 3 (2) District court judges in the state;
- 4 (3) Circuit court judges in the state;
- 5 (4) The Administrative Office of the Courts;
- 6 (5) Mayors of Arkansas cities;
- 7 (6) The Arkansas Municipal League;
- 8 (7) County judges of Arkansas counties; and
- 9 (8) The Association of Arkansas Counties.

10 (e) On or before October 1, 2024, the House Committee on Judiciary and  
 11 the Senate Committee on Judiciary shall file with the Governor, the Speaker  
 12 of the House of Representatives, the President Pro Tempore of the Senate, and  
 13 the Arkansas Supreme Court a final written report of the activities,  
 14 findings, and recommendations of the House Committee on Judiciary and the  
 15 Senate Committee on Judiciary under this section, including any draft  
 16 legislation.

17 (f) The study required under this section shall expire on December 31,  
 18 2024.

21 **APPROVED: 2/9/23**