

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representative Mahony**

A Bill

HOUSE BILL 1257

For An Act To Be Entitled

8 "AN ACT TO AMEND TITLE 9, CHAPTER 27, SUBCHAPTER 3 OF THE
9 ARKANSAS CODE OF 1987 TO CLARIFY THAT NO FILING FEES SHALL
10 BE CHARGED IN CERTAIN JUVENILE CASES; AND FOR OTHER
11 PURPOSES."

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

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15 SECTION 1. Subsection (e) of Arkansas Code §9-27-310 is hereby amended
16 to read as follows:

17 "(e) (1) *Except as provided below, no filing fees or reopening fee*
18 *shall be charged or collected by the clerk in cases brought in any division of*
19 *chancery court by the prosecuting attorney or Department of Human Services or*
20 *its designee.*

21 (2) *The clerk may charge and collect filing fees and reopening*
22 *fees in non-URESA cases brought pursuant to Title IV-D by the Child Support*
23 *Enforcement Unit, provided the clerk shall forward to the unit on a monthly or*
24 *quarterly basis an itemized statement listing those cases for which fees are*
25 *due and the unit may remit payment upon receipt of such statement.*

26 (3) *As used in the subsection, 'its designee' means any nonprofit*
27 *corporation contracting as a service provider with the Department of Human*
28 *Services."*

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30 SECTION 2. All provisions of this act of a general and permanent nature
31 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
32 Revision Commission shall incorporate the same in the Code.

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34 SECTION 3. If any provision of this act or the application thereof to
35 any person or circumstance is held invalid, such invalidity shall not affect

1 other provisions or applications of the act which can be given effect without
2 the invalid provision or application, and to this end the provisions of this
3 act are declared to be severable.

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6 hereby repealed.

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8 SECTION 5. EMERGENCY CLAUSE. It is hereby found and determined by the
9 Seventy-Eighth General Assembly that since the passage of Act 34 of 1989,
10 Third Extraordinary Session, there has arisen the need to clarify that cases
11 brought by the Department of Human Services should be treated equally with
12 regard to the necessity of payment of a filing fee to the court clerk; that
13 this requirement constitutes a burden on the juvenile justice system of this
14 state; that it is in the best interests of all citizens of this state that
15 these matters be clarified; that this act should become effective immediately
16 upon its passage to alleviate these concerns. Therefore, an emergency is
17 hereby declared to exist and this act being necessary for the immediate
18 preservation of the public peace, health and safety shall be in full force and
19 effect from and after its passage and approval.

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/s/ J. Mahony

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