1   State of Arkansas   *As Engrossed: S2/21/19*
2   92nd General Assembly   A Bill
3   Regular Session, 2019   HOUSE BILL 1147
4
5   By: Representative Capp
6   *By: Senator G. Stubblefield*
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8   **For An Act To Be Entitled**
9   AN ACT TO PERMIT THE REOPENING OF A CIRCUIT COURT
10   CASE WITHOUT THE PAYMENT OF A FILING FEE IN ORDER TO
11   ENFORCE A MONETARY JUDGMENT; AND FOR OTHER PURPOSES.
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14   **Subtitle**
15   TO PERMIT THE REOPENING OF A CIRCUIT
16   COURT CASE WITHOUT THE PAYMENT OF A
17   FILING FEE IN ORDER TO ENFORCE A MONETARY
18   JUDGMENT.
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21   BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23   SECTION 1. Arkansas Code § 21-6-403(e), concerning exceptions to the
24   payment of a fee to reopen a circuit court case, is amended to read as
25   follows:
26   (e)(1)(A) The fee established in subdivision (b)(3) of this section
27   shall be assessed and collected by the circuit clerk to reopen a cause of
28   action in which a final order has been entered, so long as the new claim
29   involves the same parties and the same issues as were present in the initial
30   cause of action.
31   (B) Otherwise, the circuit clerk shall assess and collect
32   the fee established in subdivision (b)(1) of this section.
33   (2) A fee shall not be charged or collected by the clerks of the
34   circuit courts for reopening a cause of action in the circuit court under the
35   following circumstances:
36   (A) Application is made for revocation of conditional

1   release of insanity acquittees ~~pursuant to~~ under § 5-2-316; ~~or~~

2   (B) An agreed order or an order of income withholding is

3   presented to be filed, and a service of process is not required~~.~~; or

4   (C) A party to the original cause of action for whom a

5   judgment for monetary damages was entered attempts to enforce the monetary

6   judgment by filing a pleading or through other court action, if the pleading

7   is filed or court action is taken within twelve (12) months of issuance of

8   the final judgment in the case.

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11   */s/Capp*

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