

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001  
4

As Engrossed: H3/7/01  
**A Bill**

**Act 1045 of 2001**  
HOUSE BILL 1955

5 By: Representative House  
6  
7

**For An Act To Be Entitled**

9 AN ACT TO AMEND ARKANSAS CODE 16-14-105  
10 PERTAINING TO UNIFORM FILING FEES AND COURT  
11 COSTS; AND FOR OTHER PURPOSES.  
12

**Subtitle**

13 TO AMEND ARKANSAS CODE 16-14-105  
14 PERTAINING TO UNIFORM FILING FEES AND  
15 COURT COSTS.  
16  
17  
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
20

21 SECTION 1. Arkansas Code 16-14-105, pertaining to uniform filing fees  
22 and court costs, is amended to read as follows:

23 16-14-105. Uniform filing fees and court costs.

24 (a)(1) The uniform filing fees to be charged by the clerks of the  
25 probate court for initiating a cause of action in probate court in this state  
26 shall be one hundred dollars (\$100), and no portion of the filing fee shall  
27 be refunded.

28 (2) The filing fee for reopening a cause of action in the  
29 probate court shall be thirty dollars (\$30.00); provided, however, that this  
30 fee shall not apply to revocation of conditional release of insanity  
31 acquittees pursuant to § 5-2-316.

32 (3) The uniform filing fees to be charged by the clerks of the  
33 county court for initiating a cause of action in the county court shall be  
34 thirty dollars (\$30.00), and no portion of the filing fee shall be refunded.

35 ~~(3)~~ (4) No county shall authorize, and no county court clerk,  
36 chancery or probate court clerk shall assess or collect, any other filing

1 fees than those authorized, unless specifically provided by state law.

2 (b) Uniform court costs shall be established as follows:

3 (1) Dissolutions of incorporation . . . . . ~~\$10.00~~ \$25.00;

4 (2) Articles of incorporation . . . . . ~~\$15.00~~ \$25.00;

5 (3) Amendments to articles of  
6 incorporation . . . . . ~~\$15.00~~ \$25.00;

7 (4) Filing last will and testament for  
8 safekeeping . . . . . ~~\$2.00~~ \$5.00;

9 (5) Authentication certificate . . . . . ~~\$3.50~~ \$5.00;

10 (6) Certify and seal document . . . . . ~~\$3.00~~ \$5.00;

11 (7) Marriage license . . . . . ~~\$20.00~~ \$30.00;

12 (8) Certified copy of marriage license . . . . . \$5.00;

13 (9) Underage marriages - Petition and  
14 order . . . . . ~~\$5.00~~ \$10.00;

15 (10) Small estates . . . . . ~~\$10.00~~ \$25.00;

16 (11) Assumed names . . . . . ~~\$10.00~~ \$25.00;

17 (12) Limited partnerships . . . . . ~~\$10.00~~ \$25.00;

18 (13) Alcoholics and insane persons . . . . . ~~\$10.00~~ \$25.00;

19 (14) Clerk's tax deed . . . . . \$5.00;

20 (15) Recording doctors' and nurses'  
21 credentials . . . . . \$5.00;

22 (16) Recording ministers' credentials . . . . . \$5.00;

23 (17) Filing affidavit of claim against  
24 an estate . . . . . ~~\$3.00~~ \$5.00;

25 (18) Filing power of attorney . . . . . \$10.00;

26 (19) For filing and recording all accounts  
27 and settlements . . . . . ~~\$25.00~~ \$50.00;

28 (20) Certified copies of all letters . . . . . ~~\$3.00~~ \$5.00;

29 (21) For issuing subpoena or summons . . . . . ~~\$3.00~~ \$5.00;

30 (22) For putting up advertisement of settlement of  
31 executors, administrators, and guardians . . . . . ~~\$3.00~~ \$5.00;

32 (23) For preparing notices of settlements to be published in  
33 paper each month . . . . . ~~\$2.00~~ \$5.00; and

34 (24) For filing exceptions, etc. . . . . ~~\$3.50~~ \$5.00.

35 (c) Any fee not specifically provided for in subsections (a) and (b)  
36 of this section shall be set by the probate court if it is a probate matter

1 or by the county judge if it is a county court matter.

2 (d) The probate court may waive the filing fee in cases of involuntary  
3 admission upon a finding that the petition is being brought for the benefit  
4 of the respondent and it would be inequitable to require the petitioner to  
5 pay the fee.

6 (e) The fee provisions provided for in this section shall be in lieu  
7 of any and all fees now established by law.

8 (f)(1) All fees with the exception of the probate filing fees  
9 collected under this section shall be paid into the county treasury to the  
10 credit of the fund to be known as the "county clerk's cost fund". With the  
11 exception of those funds referred to in subsection (f)(2) of this section,  
12 all funds deposited into the county clerk's cost fund are general revenues of  
13 the county and may be used for any legitimate county purpose.

14 (2) At least thirty-five percent (35%) of the moneys collected  
15 annually shall be used to purchase, maintain, and operate an automated  
16 records system. The acquisition and update of software for the automated  
17 records system shall be a permitted use of these funds. Funds set aside for  
18 automation may be allowed to accumulate from year to year, or at the  
19 discretion of the clerk, may be transferred to county general by a budgeted  
20 appropriated transfer.

21 (3) In those counties having combined offices of circuit and  
22 county clerk, the clerk shall elect to use the automation fund authorized by  
23 this section or the automation fund allowed by § 21-6-306, the Recorder's  
24 Cost Fund. The clerk's election shall be made in writing and filed in the  
25 office of the circuit clerk. Under no circumstances shall the clerk be  
26 allowed to utilize both the automation fund as authorized by § 21-6-306 and  
27 the county clerk's cost fund as authorized in this subchapter.

28 /s/ House

31 APPROVED: 3/22/2001