

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.

Act 320 of the Regular Session

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009

# A Bill

HOUSE BILL 1467

4  
5 By: Representative Everett  
6  
7

## For An Act To Be Entitled

8  
9 AN ACT TO INCREASE THE MINIMUM AND MAXIMUM  
10 COMPENSATION FOR ELECTED COUNTY OFFICERS; AND FOR  
11 OTHER PURPOSES.  
12

### Subtitle

13  
14 TO INCREASE THE MINIMUM AND MAXIMUM  
15 COMPENSATION FOR ELECTED COUNTY  
16 OFFICERS.  
17

18  
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
20

21 SECTION 1. Arkansas Code § 14-14-1204 is amended to read as follows:  
22 14-14-1204. Compensation of elected county officers.

23 (a) The quorum court of each county shall fix by ordinance the annual  
24 salaries of the following county officers within the minimums and maximums  
25 provided in this section:

- 26 (1) The county judge;
- 27 (2) The sheriff and ex officio collector of taxes;
- 28 (3) The collector of taxes, where established by law;
- 29 (4) The circuit clerk;
- 30 (5) The county clerk, where established by law;
- 31 (6) The assessor;
- 32 (7) The treasurer;
- 33 (8) The coroner; and
- 34 (9) The surveyor.

35 (b) For purposes of determining the salaries of the elected county



1 officers, unless otherwise specifically provided in this section, the  
 2 counties shall be classified on the basis of population, as determined by the  
 3 preceding federal decennial census, according to the following  
 4 classifications:

6 Classification	Population
7 -----	-----
8 Class 1	0 to 9,999
9 Class 2	10,000 to 19,999
10 Class 3	20,000 to 29,999
11 Class 4	30,000 to 49,999
12 Class 5	50,000 to 69,999
13 Class 6	70,000 to 199,999
14 Class 7	200,000 and above

15 (c)(1) The annual salary of a county judge shall be in compensation  
 16 for his or her services as the executive and administrator for the county, as  
 17 judge of the county court, as judge of the court of common pleas, where  
 18 established, as presiding officer of the quorum court, and for all other  
 19 services performed as provided by the Arkansas Constitution, by law, or by  
 20 county ordinance.

21 (2) The minimum and maximum salaries per annum of the county  
 22 judge of a county shall be as follows:

24 Classification	Salary Per Annum
25 -----	-----
26 Class 1	not less than <del>\$29,000</del> <u>\$30,000</u>
27	nor more than <del>\$71,640</del> <u>\$74,640</u>
28 Class 2	not less than <del>\$30,000</del> <u>\$31,000</u>
29	nor more than <del>\$73,095</del> <u>\$76,095</u>
30 Class 3	not less than <del>\$31,000</del> <u>\$32,000</u>
31	nor more than <del>\$74,550</del> <u>\$77,550</u>
32 Class 4	not less than <del>\$32,000</del> <u>\$33,000</u>
33	nor more than <del>\$76,005</del> <u>\$79,005</u>
34 Class 5	not less than <del>\$33,000</del> <u>\$34,000</u>
35	nor more than <del>\$77,459</del> <u>\$80,459</u>
36 Class 6	not less than <del>\$34,000</del> <u>\$35,000</u>

1 nor more than ~~\$83,278~~ \$86,278  
 2 Class 7 not less than ~~\$35,000~~ \$36,000  
 3 nor more than ~~\$96,223~~ \$99,223

4 (d)(1)(A) The annual salary of a sheriff shall be compensation for  
 5 services as a law enforcement officer, as the supervisor of the county jail,  
 6 as custodian of persons accused or convicted of crimes, as an officer of the  
 7 circuit court or county court, as the ex officio county tax collector and  
 8 delinquent tax collector in those counties where that office is combined with  
 9 the office of sheriff, and for all other services performed as provided by  
 10 the Arkansas Constitution, by law, or by county ordinance.

11 (B) In any county in which the offices of sheriff and  
 12 collector are combined into a single office, the maximum and minimum salaries  
 13 ~~of the county for that office in the appropriate county classification~~ shall  
 14 be ~~one thousand three hundred ninety two dollars (\$1,392) greater than those~~  
 15 ~~prescribed for the appropriate class of county in subdivision (d)(2) of this~~  
 16 ~~section, with the additional sum of one thousand three hundred ninety two~~  
 17 ~~dollars (\$1,392) being paid to all combined sheriffs and collectors.~~  
 18 increased by the following amounts:

<u>Classification</u>	<u>Additional Salary</u>
-----	-----
<u>Class 1</u>	<u>\$1,500</u>
<u>Class 2</u>	<u>\$1,500</u>
<u>Class 3</u>	<u>\$2,500</u>
<u>Class 4</u>	<u>\$2,500</u>
<u>Class 5</u>	<u>\$3,000</u>
<u>Class 6</u>	<u>\$3,000</u>
<u>Class 7</u>	<u>\$4,000</u>

29 (2) The minimum and maximum salaries per annum of the sheriff of  
 30 a county shall be as follows:

Classification	Salary Per Annum
-----	-----
Class 1	not less than <del>\$29,000</del> <u>\$30,000</u>
	nor more than <del>\$71,640</del> <u>\$74,640</u>
Class 2	not less than <del>\$30,000</del> <u>\$31,000</u>

1		nor more than <del>\$73,095</del> <u>\$76,095</u>
2	Class 3	not less than <del>\$31,000</del> <u>\$32,000</u>
3		nor more than <del>\$74,550</del> <u>\$77,550</u>
4	Class 4	not less than <del>\$32,000</del> <u>\$33,000</u>
5		nor more than <del>\$76,005</del> <u>\$79,005</u>
6	Class 5	not less than <del>\$33,000</del> <u>\$34,000</u>
7		nor more than <del>\$77,459</del> <u>\$80,459</u>
8	Class 6	not less than <del>\$34,000</del> <u>\$35,000</u>
9		nor more than <del>\$83,278</del> <u>\$86,278</u>
10	Class 7	not less than <del>\$35,000</del> <u>\$36,000</u>
11		nor more than <del>\$96,223</del> <u>\$99,223</u>

12 (e)(1) In those counties where the office of county tax collector has  
 13 been separated from the office of sheriff, the annual salary of a county tax  
 14 collector shall be in compensation for services as tax collector and  
 15 delinquent tax collector and for all other services performed as provided by  
 16 the Arkansas Constitution, by law, or by county ordinance.

17 (2) The minimum and maximum salaries per annum of the county tax  
 18 collector in those counties where the office has been separated from the  
 19 office of sheriff shall be as follows:

21	Classification	Salary Per Annum
22	-----	-----
23	Class 1	not less than <del>\$26,000</del> <u>\$27,000</u>
24		nor more than <del>\$67,276</del> <u>\$70,276</u>
25	Class 2	not less than <del>\$27,000</del> <u>\$28,000</u>
26		nor more than <del>\$68,731</del> <u>\$71,731</u>
27	Class 3	not less than <del>\$28,000</del> <u>\$29,000</u>
28		nor more than <del>\$70,186</del> <u>\$73,186</u>
29	Class 4	not less than <del>\$29,000</del> <u>\$30,000</u>
30		nor more than <del>\$71,640</del> <u>\$74,640</u>
31	Class 5	not less than <del>\$30,000</del> <u>\$31,000</u>
32		nor more than <del>\$73,095</del> <u>\$76,095</u>
33	Class 6	not less than <del>\$31,000</del> <u>\$32,000</u>
34		nor more than <del>\$77,459</del> <u>\$80,459</u>
35	Class 7	not less than <del>\$32,000</del> <u>\$33,000</u>
36		nor more than <del>\$80,369</del> <u>\$93,404</u>

(f)(1)(A) The annual salary of a county and probate clerk shall be in compensation for his or her services as county clerk, probate clerk, clerk of the county court, clerk of the quorum court, registrar of voters, and for all other services performed as provided by the Arkansas Constitution, by law, or by county ordinance.

(B) In those counties where the office of county and probate clerk is combined with the office of circuit clerk and ex officio recorder, the salary shall be as provided in this section.

(C) In those counties where the office of county and probate clerk is combined with the office of circuit clerk and ex officio recorder, the minimum and maximum salaries for that office in the appropriate county classification shall be ~~one thousand three hundred ninety two dollars (\$1,392) greater than those prescribed for the appropriate class of county in subdivision (f)(2) of this section, with the additional sum of one thousand three hundred ninety two dollars (\$1,392) being paid to all combined county and probate clerks and circuit clerks and ex officio recorders,~~ increased by the following amounts:

<u>Classification</u>	<u>Additional Salary</u>
-----	-----
<u>Class 1</u>	<u>\$1,500</u>
<u>Class 2</u>	<u>\$1,500</u>
<u>Class 3</u>	<u>\$2,500</u>
<u>Class 4</u>	<u>\$2,500</u>
<u>Class 5</u>	<u>\$3,000</u>
<u>Class 6</u>	<u>\$3,000</u>
<u>Class 7</u>	<u>\$4,000</u>

(2) The minimum and maximum salaries per annum of the county and probate clerk of a county shall be as follows:

<u>Classification</u>	<u>Salary Per Annum</u>
-----	-----
Class 1	not less than <del>\$26,000</del> <u>\$27,000</u>
	nor more than <del>\$67,276</del> <u>\$70,276</u>
Class 2	not less than <del>\$27,000</del> <u>\$28,000</u>
	nor more than <del>\$68,731</del> <u>\$71,731</u>

1	Class 3	not less than <del>\$28,000</del> <u>\$29,000</u>
2		nor more than <del>\$70,186</del> <u>\$73,186</u>
3	Class 4	not less than <del>\$29,000</del> <u>\$30,000</u>
4		nor more than <del>\$71,640</del> <u>\$74,640</u>
5	Class 5	not less than <del>\$30,000</del> <u>\$31,000</u>
6		nor more than <del>\$73,095</del> <u>\$76,095</u>
7	Class 6	not less than <del>\$31,000</del> <u>\$32,000</u>
8		nor more than <del>\$77,459</del> <u>\$80,459</u>
9	Class 7	not less than <del>\$32,000</del> <u>\$33,000</u>
10		nor more than <del>\$80,369</del> <u>\$93,404</u>

11 (g)(1)(A) The annual salary of a circuit clerk and ex officio recorder  
 12 shall be in compensation for his or her services as clerk of the circuit  
 13 court, as ex officio recorder, and for all other services performed as  
 14 provided by the Arkansas Constitution, by law, or by county ordinance.

15 (B) In those counties where the office of circuit clerk and  
 16 ex officio recorder is combined with the office of county and probate clerk,  
 17 the minimum and maximum salaries for that office in the appropriate county  
 18 classification shall be ~~one thousand three hundred ninety two dollars~~  
 19 ~~(\$1,392) greater than those prescribed for the appropriate class of county in~~  
 20 ~~subdivision (g)(2) of this section, with the additional sum of one thousand~~  
 21 ~~three hundred ninety two dollars (\$1,392) being paid to all combined circuit~~  
 22 ~~clerks and ex officio recorders and county and probate clerks.~~ increased by  
 23 the following amounts:

25	<u>Classification</u>	<u>Additional Salary</u>
26	-----	-----
27	<u>Class 1</u>	<u>\$1,500</u>
28	<u>Class 2</u>	<u>\$1,500</u>
29	<u>Class 3</u>	<u>\$2,500</u>
30	<u>Class 4</u>	<u>\$2,500</u>
31	<u>Class 5</u>	<u>\$3,000</u>
32	<u>Class 6</u>	<u>\$3,000</u>
33	<u>Class 7</u>	<u>\$4,000</u>

34 (2) The minimum and maximum salaries per annum of the circuit  
 35 clerk and ex officio recorder of a county shall be as follows:

36

1 Classification	Salary Per Annum
2 -----	-----
3 Class 1	not less than <del>\$26,000</del> <u>\$27,000</u>
4	nor more than <del>\$67,276</del> <u>\$70,276</u>
5 Class 2	not less than <del>\$27,000</del> <u>\$28,000</u>
6	nor more than <del>\$68,731</del> <u>\$71,731</u>
7 Class 3	not less than <del>\$28,000</del> <u>\$29,000</u>
8	nor more than <del>\$70,186</del> <u>\$73,186</u>
9 Class 4	not less than <del>\$29,000</del> <u>\$30,000</u>
10	nor more than <del>\$71,640</del> <u>\$74,640</u>
11 Class 5	not less than <del>\$30,000</del> <u>\$31,000</u>
12	nor more than <del>\$73,095</del> <u>\$76,095</u>
13 Class 6	not less than <del>\$31,000</del> <u>\$32,000</u>
14	nor more than <del>\$77,459</del> <u>\$80,459</u>
15 Class 7	not less than <del>\$32,000</del> <u>\$33,000</u>
16	nor more than <del>\$80,369</del> <u>\$93,404</u>

17 (h)(1)(A) The annual salary of a county assessor shall be in  
 18 compensation for all services performed as county assessor, appraiser, and as  
 19 provided by the Arkansas Constitution, by law, or by county ordinance.

20 (B) In any county in which the offices of assessor and  
 21 collector are combined into a single office, the maximum and minimum salaries  
 22 of the county assessor and collector in the appropriate county classification  
 23 shall be ~~one thousand three hundred ninety two dollars (\$1,392)~~ greater than  
 24 ~~those prescribed for the appropriate class of county in subdivision (h)(2) of~~  
 25 ~~this section, with the additional sum of one thousand three hundred ninety-~~  
 26 ~~two dollars (\$1,392) being paid to all combined assessors and collectors.~~  
 27 increased by the following amounts:

29 <u>Classification</u>	<u>Additional Salary</u>
30 -----	-----
31 <u>Class 1</u>	<u>\$1,500</u>
32 <u>Class 2</u>	<u>\$1,500</u>
33 <u>Class 3</u>	<u>\$2,500</u>
34 <u>Class 4</u>	<u>\$2,500</u>
35 <u>Class 5</u>	<u>\$3,000</u>
36 <u>Class 6</u>	<u>\$3,000</u>

1 Class 7 \$4,000

2 (2) The minimum and maximum salaries per annum of the county  
 3 assessor of a county shall be as follows:

5 Classification	Salary Per Annum
6 -----	-----
7 Class 1	not less than <del>\$26,000</del> <u>\$27,000</u>
8	nor more than <del>\$67,276</del> <u>\$70,276</u>
9 Class 2	not less than <del>\$27,000</del> <u>\$28,000</u>
10	nor more than <del>\$68,731</del> <u>\$71,731</u>
11 Class 3	not less than <del>\$28,000</del> <u>\$29,000</u>
12	nor more than <del>\$70,186</del> <u>\$73,186</u>
13 Class 4	not less than <del>\$29,000</del> <u>\$30,000</u>
14	nor more than <del>\$71,640</del> <u>\$74,640</u>
15 Class 5	not less than <del>\$30,000</del> <u>\$31,000</u>
16	nor more than <del>\$73,095</del> <u>\$76,095</u>
17 Class 6	not less than <del>\$31,000</del> <u>\$32,000</u>
18	nor more than <del>\$77,459</del> <u>\$80,459</u>
19 Class 7	not less than <del>\$32,000</del> <u>\$33,000</u>
20	nor more than <del>\$80,369</del> <u>\$93,404</u>

21 (i)(1)(A) The annual salary of a county treasurer shall be in  
 22 compensation for all services performed as provided by the Arkansas  
 23 Constitution, by law, or by county ordinance.

24 (B) In any county in which the offices of treasurer and  
 25 collector are combined into a single office, the maximum and minimum salaries  
 26 of the county treasurer and collector in the appropriate county  
 27 classification shall be ~~one thousand three hundred ninety two dollars~~  
 28 ~~(\$1,392) greater than those prescribed for the appropriate class of county in~~  
 29 ~~subdivision (i)(1) of this section, with the additional sum of one thousand~~  
 30 ~~three hundred ninety two dollars (\$1,392) being paid to all combined~~  
 31 ~~treasurers and collectors.~~ increased by the following amounts:

33 <u>Classification</u>	<u>Additional Salary</u>
34 -----	-----
35 <u>Class 1</u>	<u>\$1,500</u>
36 <u>Class 2</u>	<u>\$1,500</u>



1	<u>Class 3</u>	<u>\$2,500</u>
2	<u>Class 4</u>	<u>\$2,500</u>
3	<u>Class 5</u>	<u>\$3,000</u>
4	<u>Class 6</u>	<u>\$3,000</u>
5	<u>Class 7</u>	<u>\$4,000</u>

6                   (2) The minimum and maximum salaries per annum for the county  
7 treasurer of a county shall be as follows:

9	Classification		Salary Per Annum
10	-----		-----
11	Class 1	not less than <del>\$26,000</del>	<u>\$27,000</u>
12		nor more than <del>\$67,276</del>	<u>\$70,276</u>
13	Class 2	not less than <del>\$27,000</del>	<u>\$28,000</u>
14		nor more than <del>\$68,731</del>	<u>\$71,731</u>
15	Class 3	not less than <del>\$28,000</del>	<u>\$29,000</u>
16		nor more than <del>\$70,186</del>	<u>\$73,186</u>
17	Class 4	not less than <del>\$29,000</del>	<u>\$30,000</u>
18		nor more than <del>\$71,640</del>	<u>\$74,640</u>
19	Class 5	not less than <del>\$30,000</del>	<u>\$31,000</u>
20		nor more than <del>\$73,095</del>	<u>\$76,095</u>
21	Class 6	not less than <del>\$31,000</del>	<u>\$32,000</u>
22		nor more than <del>\$77,459</del>	<u>\$80,459</u>
23	Class 7	not less than <del>\$32,000</del>	<u>\$33,000</u>
24		nor more than <del>\$80,369</del>	<u>\$93,404</u>

25                   (j)(1) The compensation of a county coroner shall be for all services  
26 performed as provided by the Arkansas Constitution, by law, or by county  
27 ordinance.

28                   (2) The minimum and maximum salaries per annum of the county  
29 coroner of a county shall be as follows:

31	Classification		Salary Per Annum
32	-----		-----
33	Class 1	not less than <del>\$3,472</del>	<u>\$3,802</u>
34		nor more than <del>\$12,000</del>	<u>\$12,990</u>
35	Class 2	not less than <del>\$3,972</del>	<u>\$4,302</u>
36		nor more than <del>\$13,000</del>	<u>\$13,990</u>

1	Class 3	not less than <del>\$4,473</del> <u>\$4,803</u>
2		nor more than <del>\$16,000</del> <u>\$16,990</u>
3	Class 4	not less than <del>\$4,973</del> <u>\$5,303</u>
4		nor more than <del>\$30,000</del> <u>\$30,990</u>
5	Class 5	not less than <del>\$5,470</del> <u>\$5,800</u>
6		nor more than <del>\$40,000</del> <u>\$40,900</u>
7	Class 6	not less than <del>\$5,970</del> <u>\$6,300</u>
8		nor more than <del>\$48,000</del> <u>\$48,990</u>
9	Class 7	not less than <del>\$30,000</del> <u>\$33,000</u>
10		nor more than <del>\$70,000</del> <u>\$93,404</u>

11 (k) Compensation of the county surveyor shall be fixed by the quorum  
 12 court.

13  
 14 SECTION 2. Arkansas Code § 14-14-1205 is amended to read as follows:  
 15 14-14-1205. Compensation of township officers.

16 (a)(1)(A) The per diem compensation for justices of the peace  
 17 attending any official, regular, special, or committee meeting of a quorum  
 18 court shall be fixed by ordinance in each county.

19 (B) The per diem compensation of justices shall ~~be not be~~ be  
 20 less than one hundred twenty-five dollars (\$125) per diem for each regular  
 21 meeting nor exceed:

22 (i) ~~Seven thousand five hundred thirty four dollars~~  
 23 ~~(\$7,534)~~ Eight thousand seven hundred thirty-four dollars (\$8,734) per  
 24 calendar year in counties having a population of less than seventy thousand  
 25 (70,000);

26 (ii) ~~Nine thousand one hundred seventy six dollars~~  
 27 ~~(\$9,176)~~ Ten thousand three hundred seventy-six dollars (\$10,376) per  
 28 calendar year in counties having a population of at least seventy thousand  
 29 (70,000) and less than two hundred thousand (200,000); and

30 (iii) ~~Twelve thousand one hundred nineteen dollars~~  
 31 ~~(\$12,119)~~ Thirteen thousand three hundred nineteen dollars (\$13,319) per  
 32 calendar year in counties having a population of two hundred thousand  
 33 (200,000) or more.

34 (2) Per Diem Compensation Defined. (A) Per diem compensation is  
 35 defined as a per calendar day allowance, exclusive of allowable expenses,  
 36 which shall be paid to a justice for attending meetings of the county quorum

1 court. This compensation shall be based on attending meetings of a quorum  
 2 court during any single calendar day without regard to the duration of the  
 3 meetings.

4 (B) However, a member of the quorum court may receive per  
 5 diem compensation for one (1) meeting per year for which the member is absent  
 6 due to an emergency or for personal reasons.

7 (3) In addition to any other compensation expense reimbursement  
 8 or expense allowances provided members of the quorum court, counties may  
 9 provide medical insurance coverage for members of the quorum court.

10 (b) Justices of the Peace Serving in Judicial Capacity. The  
 11 compensation of all justices of the peace serving in a judicial capacity  
 12 shall be fixed by ordinance of the quorum court in each county. This basis  
 13 of compensation shall not be computed on a percentage of the dollar amount of  
 14 fines levied by a justice of the peace.

15 (c) Justice of the Peace as County Employee or Deputy. ~~No~~ A justice  
 16 of the peace shall not receive compensation as a county employee or deputy,  
 17 nor shall any justice receive compensation or expenses from funds  
 18 appropriated by the quorum court for any services performed within the  
 19 county, other than as provided by this subchapter.

20 (d) Constables. The compensation of all constables serving in any  
 21 official capacity established by law shall be fixed by ordinance of the  
 22 quorum court in each county.

23  
 24 SECTION 3. Arkansas Code Title 14, Chapter 14, Subchapter 12 is  
 25 amended to add an additional section to read as follows:

26 14-14-1210. Cost-of-living adjustment.

27 (a) Beginning January 1, 2011, and on each January 1 thereafter, three  
 28 percent (3%) per annum shall be added to the minimum and maximum salaries and  
 29 per diems of elected county officers as a cost-of-living adjustment.

30 (b) Beginning September 1, 2010, and on each September 1 thereafter,  
 31 the Association of Arkansas Counties shall provide each county and the  
 32 Division of Legislative Audit with a schedule of the minimum and maximum  
 33 salaries and per diems of elected county officers with the added cost-of-  
 34 living adjustment for the following year.

35  
 36 APPROVED: 3/06/2009