

1 State of Arkansas  
2 90th General Assembly  
3 Regular Session, 2015  
4

As Engrossed: S3/10/15

# A Bill

HOUSE BILL 1193

5 By: Representatives Speaks, Bentley, Baltz, Jett, Ratliff, Lemons  
6 By: Senator Collins-Smith  
7

## For An Act To Be Entitled

9 AN ACT TO CLARIFY THAT DISTRICT COURT FEES SHALL BE  
10 CREDITED TO THE GENERAL FUND OF THE COUNTY; AND FOR  
11 OTHER PURPOSES.  
12  
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### Subtitle

15 TO CLARIFY THAT DISTRICT COURT FEES SHALL  
16 BE CREDITED TO THE GENERAL FUND OF THE  
17 COUNTY.  
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19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code § 16-17-115 is amended to read as follows:

23 16-17-115. County's, town's, and city's portion of district court  
24 expenses – Appropriation. [Effective January 1, 2012.]

25 (a) Except as authorized otherwise, the county ~~wherein~~ in which a  
26 district court is held shall pay one-half (1/2) of the salaries of the  
27 district court judge and each chief district court clerk of any district  
28 court organized in that county under ~~the provisions of~~ § 16-17-901 et seq.,  
29 and the quorum court in a county subject to ~~the provisions of~~ § 16-17-901 et  
30 seq. ~~shall~~, at its annual meeting, shall make an appropriation of a sum  
31 sufficient to pay the county's proportion of the expenses of any such  
32 district court. These payments shall be made out of the ~~district court cost~~  
33 ~~fund and~~ general revenues of the county.

34 (b)(1)(A) Except as authorized otherwise, the town or city in which a  
35 district court is held shall pay:

36 (i) One-half (1/2) of the salaries of the district



1 court judge and the chief district court clerk; and

2 (ii) The operational expenses of the district court  
3 organized in that town or city under ~~the provisions of~~ § 16-17-901 et seq.  
4 unless otherwise agreed to by the political subdivisions ~~which~~ that  
5 contribute to the expenses of the district court.

6 (B) The governing body of the town or city in a town or  
7 city subject to ~~the provisions of~~ § 16-17-901 et seq. shall make at its  
8 annual meeting an appropriation of a sum sufficient to pay the town's or  
9 city's proportion of the salaries and operational expenses of the district  
10 court.

11 (2) These payments shall be made out of the ~~district court cost~~  
12 ~~fund and~~ general revenues of the town or city.

13 (c)(1) Any town or city operating a city court on December 31, 2011,  
14 that becomes a department of a district court shall continue to pay the  
15 amount paid as the base salary of the city court judge to the district court  
16 judge who has assumed the responsibility of attending the former city court.

17 (2) The base salary to be paid to the district court judge under  
18 subdivision (c)(1) of this section in calendar year 2012 and subsequent years  
19 shall be the amount paid by the city or town to the city court judge for the  
20 calendar year 2011.

21 ~~(3) The local salary supplement described in subdivision (c)(1)~~  
22 ~~of this section shall not be used when calculating any retirement benefit in~~  
23 ~~the Arkansas District Judge Retirement System, § 24-8-801 et seq. [Repealed].~~

24 (d)(1) A town or city operating a city court on December 31, 2011,  
25 that becomes a department of district court shall continue to pay the salary  
26 of the district court clerk and provide for the operational expenses of that  
27 department of district court unless otherwise agreed to by the political  
28 subdivisions ~~which~~ that contribute to the expenses of the district court.

29 (2) Subdivision (d)(1) of this section ~~shall~~ does not apply to  
30 any town or city ~~which~~ that has abolished a department of district court  
31 pursuant to state law.

32 (e) A district court operated solely by the county shall have the  
33 salaries and operational expenses of that district court paid solely by the  
34 county unless otherwise agreed to by the political subdivisions ~~which~~ that  
35 contribute to the expenses of the district court.

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1 SECTION 2. Arkansas Code § 16-17-124 is amended to read as follows:  
2 16-17-124. Fee for appeal transcript – Disposition.

3 (a) When required to make a certification of disposition of court  
4 proceedings, including without limitation certified copies of the docket,  
5 certified copies of civil or small claims judgments, and appeal transcripts,  
6 the district court shall collect a fee of not less than five dollars (\$5.00)  
7 per case for preparation of the original.

8 (b) All funds derived from the fee shall be paid into the general fund  
9 of the treasury of each political subdivision ~~which~~ that contributes to the  
10 expenses of the district court based on the percentage of the expenses  
11 contributed by the political subdivision to be appropriated for any  
12 permissible use in the administration of the district court.

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14 SECTION 3. Arkansas Code § 16-17-126 is amended to read as follows:  
15 16-17-126. Fee for filing and issuing writs of garnishment and  
16 executions – Disposition.

17 (a)(1) The district court clerk shall collect a fee of ten dollars  
18 (\$10.00) for filing or issuing writs of garnishment and executions.

19 (2) This fee is in addition to ~~those~~ fees and costs established  
20 by law for specific purposes or ~~where~~ as authorized by the county quorum  
21 court or municipality.

22 (b) All funds derived from the fee shall be paid into the general fund  
23 of the treasury of each political subdivision ~~which~~ that contributes to the  
24 expenses of the district court based on the percentage of the expenses  
25 contributed by the political subdivision to be appropriated for any  
26 permissible use in the administration of the district court.

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28 */s/Speaks*

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31 **APPROVED: 03/18/2015**