

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

HOUSE BILL 1119

5 By: Representatives Lundstrum, Penzo
6 By: Senator L. Eads
7

For An Act To Be Entitled

8
9 AN ACT CONCERNING THE FIRST AND SECOND DISTRICTS OF
10 THE STATE DISTRICT COURT SYSTEM; TO DECLARE AN
11 EMERGENCY; AND FOR OTHER PURPOSES.
12
13

Subtitle

14
15 CONCERNING THE FIRST AND SECOND DISTRICTS
16 OF THE STATE DISTRICT COURT SYSTEM; AND
17 TO DECLARE AN EMERGENCY.
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19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. Arkansas Code § 16-17-1110(1) and (2), concerning the First
23 and Second Districts of the state district court system, are amended to read
24 as follows:

25 (1)(A) The First District is composed of Benton County.

26 (B) The First District has ~~fourteen (14)~~ thirteen (13)
27 departments as follows:

28 (i) One (1) located in Rogers;

29 (ii) One (1) located in Bentonville;

30 (iii) One (1) located in Siloam Springs;

31 (iv) One (1) located in Gentry;

32 (v) One (1) located in Decatur;

33 ~~(vi) One (1) located in Bethel Heights;~~

34 ~~(vii)~~(vi) One (1) located in Cave Springs;

35 ~~(viii)~~(vii) One (1) located in Centerton;

36 ~~(ix)~~(viii) One (1) located in Gravette;



- 1 ~~(x)~~(ix) One (1) located in Little Flock;
- 2 ~~(xi)~~(x) One (1) located in Lowell;
- 3 ~~(xii)~~(xi) One (1) located in Pea Ridge;
- 4 ~~(xiii)~~(xii) One (1) located in Sulphur Springs; and
- 5 ~~(xiv)~~(xiii) One (1) located in Bella Vista.

6 (C)(i) The district is served by four (4) state district
7 court judges.

8 (ii) One (1) judgeship shall be designated as
9 Division 1.

10 (iii) One (1) judgeship shall be designated as
11 Division 2.

12 (iv) One (1) judgeship shall be designated as
13 Division 3.

14 (v) One (1) judgeship shall be designated as
15 Division 4.

16 (D) The assignment of judges to departments under
17 subdivision (1)(B) of this section is determined by the mutual agreement of
18 the state district court judges.

19 (E) For the purpose of venue, the district court
20 boundaries in Benton County are as follows:

21 (i) Division 1 – Rogers District Court:

22 (a) All of District 94, District 95, and
23 District 96 of the House of Representatives as drawn by The Board of
24 Apportionment in 2002;

25 (b) That part of District 98 of the House of
26 Representatives as drawn by The Board of Apportionment in 2002 that is in
27 Benton County Quorum Court District 1 as established by the Benton County
28 Election Commission;

29 (c) That part of Benton County Quorum Court
30 District 6 as established by the Benton County Election Commission that is in
31 District 96 and District 98 of the House of Representatives as drawn by The
32 Board of Apportionment in 2002; and

33 (d) All of precinct 43, precinct 44, and
34 precinct 49 as they existed on January 1, 2011;

35 (ii) Division 2 – Bentonville District Court:

36 (a) All of District 7, District 8, District 9,

1 and District 10 except for the now-existing precinct 22, of the Benton County
 2 Quorum Court as established by the Benton County Election Commission;

3 (b) All of District 99 of the House of
 4 Representatives as drawn by The Board of Apportionment in 2002 except for the
 5 now-existing precinct 43, precinct 44, and precinct 49; and

6 (c) All of precinct 45 as it existed on
 7 January 1, 2011;

8 (iii) Division 3 – Siloam Springs District Court:

9 (a) All of District 97 of the House of
 10 Representatives as drawn by The Board of Apportionment in 2002; and

11 (b) All of precinct 7, precinct 14, precinct
 12 16, and precinct 17 as they existed on January 1, 2011; and

13 (iv) Division 4 – Benton County West District Court:

14 (a) All of Benton County Quorum Court District
 15 11 as established by the Benton County Election Commission; and

16 (b) All of precinct 6, precinct 15, precinct
 17 18, precinct 19, and precinct 22 as they existed on January 1, 2011.

18 (F) The First District judges are elected districtwide.

19 (G) The First District court has districtwide
 20 jurisdiction;

21 (2)(A) The Second District shall be composed of Washington
 22 County and the city limits of Springdale ~~as of January 1, 2011, including~~
 23 ~~that portion of the City of Springdale which extends~~ that extend into Benton
 24 County.

25 (B) The Second District shall have ten (10) departments as
 26 follows:

27 (i) One (1) located in Springdale;

28 (ii) One (1) located in Elm Springs;

29 (iii) One (1) located in Johnson;

30 (iv) One (1) located in Fayetteville;

31 (v) One (1) located in Elkins;

32 (vi) One (1) located in West Fork;

33 (vii) One (1) located in Greenland;

34 (viii) One (1) located in Prairie Grove;

35 (ix) One (1) located in Lincoln; and

36 (x) One (1) located in Farmington.

1 (C) The Second District shall be served by four (4) state
 2 district court judges:

3 (i) One (1) judgeship shall be designated as
 4 Division 1;

5 (ii) One (1) judgeship shall be designated as
 6 Division 2;

7 (iii) One (1) judgeship shall be designated as
 8 Division 3; and

9 (iv) One (1) judgeship shall be designated as
 10 Division 4.

11 (D) The presiding judge of the departments under
 12 subdivision (2)(B) of this section shall be determined by the mutual
 13 agreement of the state district court judges of the Second District.

14 (E) The Second District judges shall be elected
 15 districtwide.

16 (F) The Second District court shall have districtwide
 17 jurisdiction;

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 19 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
 20 General Assembly of the State of Arkansas that the town of Bethel Heights was
 21 annexed into the city of Springdale in August of 2020 by a vote of the
 22 people. Because of the annexation, the status of the Bethel Heights District
 23 Court has not been clearly established under current law, as the city of
 24 Bethel Heights has ceased to exist. Immediate amendment to the state
 25 district court statutes is necessary for the smooth transition of the
 26 district courts of the First and Second Judicial Districts. Therefore, an
 27 emergency is declared to exist, and this act being immediately necessary for
 28 the preservation of the public peace, health, and safety shall become
 29 effective on:

30 (1) The date of its approval by the Governor;

31 (2) If the bill is neither approved nor vetoed by the Governor,
 32 the expiration of the period of time during which the Governor may veto the
 33 bill; or

34 (3) If the bill is vetoed by the Governor and the veto is
 35 overridden, the date the last house overrides the veto. **APPROVED: 2/9/21**