

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representative Pryor**

A Bill

ACT 1305 OF 1993
HOUSE BILL 2077

For An Act To Be Entitled

8 "AN ACT TO ESTABLISH THE STATE AND LOCAL COURTS COST STUDY
9 COMMISSION; AND FOR OTHER PURPOSES."

Subtitle

12 "TO ESTABLISH THE STATE AND LOCAL COURTS COST STUDY
13 COMMISSION."

15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

17 SECTION 1. (a) There is hereby created the State and Local Courts Cost
18 Study Commission to be composed of *eighteen (18)* members to be appointed in
19 the manner and to represent various interests as follows:

20 (1) *Four (4) members of the Judiciary Committee, two (2) to be*
21 *Senators and two (2) to be Representatives, to be appointed by the Co-Chairman*
22 *of the Joint Interim Judiciary Committee;*

23 (2) *The Attorney General or his designee;*

24 (3) *One (1) member representing the University of Arkansas System*
25 *to be appointed by the Governor;*

26 (4) *One (1) member representing the Arkansas Municipal League to*
27 *be recommended by the Arkansas Municipal League and appointed by the*
28 *concurrence of the Speaker of the House and the President Pro Tempore of the*
29 *Senate;*

30 (5) *One (1) member representing the Association of Arkansas*
31 *Counties to be recommended by the Association of Arkansas Counties and*
32 *appointed by the concurrence of the Speaker of the House and the President Pro*
33 *Tempore of the Senate;*

34 (6) *One (1) member representing the Arkansas County Judges*
35 *Association to be recommended by the Arkansas County Judges Association and*
36 *appointed by the concurrence of the Speaker of the House and the President Pro*

1 *Tempore of the Senate;*

2 (7) One (1) member representing the Circuit/Chancery Judges of
3 Arkansas to be recommended by the *Arkansas Judicial Council and appointed by*
4 *the Governor;*

5 (8) One (1) member representing the Prosecuting Attorney_s
6 Association to be recommended by the Prosecuting Attorney_s Association and
7 appointed by the *Governor;*

8 (9) One (1) member representing the Municipal Judge_s Association
9 to be recommended by the Municipal Judge_s Association and appointed by the
10 *Governor;*

11 (10) One (1) member representing the Arkansas Supreme Court to be
12 *appointed by the Chief Justice of the Arkansas Supreme Court;*

13 (11) *One (1) member representing the Arkansas Bar Association to*
14 *be recommended by the Arkansas Bar Association and appointed by the Governor;*

15 (12) *One (1) member representing the Arkansas Circuit Clerks*
16 *Associaton to be recommended by the Arkansas Circuit Clerks Association and*
17 *appointed by the concurrence of the Speaker of the House and the President Pro*
18 *Tempore of the Senate;*

19 (13) *The Dean of the University of Arkansas at Fayetteville Law School;*

20 (14) *The Dean of the University of Arkansas at Little Rock Law School;*
21 *and*

22 (15) *The Attorney General or his designated representative.*

23 (b) The Speaker of the House shall select one (1) of the
24 Representatives as a co-chairman, and the President Pro Tempore of the Senate
25 shall select one (1) of the Senators as a co-chairman.

26 (c) A member of the commission shall continue to serve on the
27 commission, until he or she no longer wishes to serve or no longer qualifies
28 to represent or no longer is a member of the committee, body, or organization
29 which he or she was appointed to represent. Any vacancy on the commission
30 shall be filled by the original appointing authority with another qualifying
31 member of the committee, body, or organization.

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33 SECTION 2. (a) Members of the commission *who are state employees* shall
34 *serve without compensation but may be reimbursed for expenses and travel by*
35 *their employing agencies* in the maximum amounts prescribed by the Department

1 of Finance and Administration for state employees.

2 (b) Legislative members of the commission shall be entitled to per diem
3 and mileage at the same rate authorized by law for attendance at meetings of
4 joint interim committees of the General Assembly. Legislative members of the
5 commission may receive payment for per diem and mileage from appropriated
6 funds for the joint interim committees which they represent, for the joint
7 interim committees on which they serve, or from appropriated funds for travel
8 and expenses for the house of the General Assembly in which they serve.

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10 SECTION 3. (a) The State and Local Courts Cost Study Commission shall
11 be charged with reviewing the system of state and local courts. It shall
12 further study court fees, costs and fines used to support the court system, so
13 as to develop legislation pertaining to the structure of the state's court
14 system and the financing of the state's court system. It shall further study
15 the feasibility of reducing the cost of the courts borne by the cities and
16 counties and shifting their burden to the state without sacrificing efficiency
17 or the high standards of the various Arkansas court systems, and develop
18 legislation accordingly.

19 (b) To facilitate the work of the commission, each clerk of a limited
20 or general jurisdiction court shall provide the commission a copy of the
21 monthly report required under Arkansas Code § 16-10-209 and each financial
22 officer of a state agency, board, or commission which receives revenue from
23 court fees, costs, or fines shall report to the commission on a monthly basis
24 the receipts from the costs, fees, or fines. Upon approval by the Legislative
25 Joint Auditing Committee, the staff of the Legislative Joint Auditing
26 Committee shall assist the commission with the receipt and reporting of the
27 monthly reports and, when requested, shall prepare interim reports for the
28 commission.

29 (c) The State and Local Courts Cost Study Commission shall submit a
30 report and its recommendations for any proposed legislation to the Joint
31 Interim Judiciary Committee of the Arkansas General Assembly on or before
32 September 1, 1994. The commission shall expire on January 1, 1995.

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34 SECTION 4. All provisions of this act of a general and permanent nature
35 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code

1 Revision Commission shall incorporate the same in the Code.

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3 SECTION 5. If any provision of this act or the application thereof to
4 any person or circumstance is held invalid, such invalidity shall not affect
5 other provisions or applications of the act which can be given effect without
6 the invalid provision or application, and to this end the provisions of this
7 act are declared to be severable.

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9 SECTION 6. All laws and parts of laws in conflict with this act are
10 hereby repealed.

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/s/M. Pryor

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APPROVED: 4/26/93

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As Engrossed: 3/24/93 3/26/93 4/8/93

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