

1 **State of Arkansas**  
2 **80th General Assembly**  
3 **Regular Session, 1995**  
4 **By: Representative Davis**

# A Bill

**ACT 232 OF 1995**  
**HOUSE BILL 1195**

## For An Act To Be Entitled

8 "AN ACT TO AMEND AND REPEAL VARIOUS SECTIONS OF THE  
9 ARKANSAS CODE RELATING TO FINANCIAL REPORTING AND OTHER  
10 AREAS OF COUNTY FINANCE PERTAINING TO THE COUNTY TREASURER  
11 AND OTHER COUNTY OFFICIALS; AND FOR OTHER PURPOSES."

### Subtitle

14 "FINANCIAL REPORTING AND OTHER AREAS OF  
15 COUNTY FINANCE PERTAINING TO THE COUNTY  
16 TREASURER AND OTHER COUNTY OFFICIALS."

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

20 SECTION 1. Arkansas Code 1-2-306 is amended to read as follows:  
21 "1-2-306. Additional court fees.

22 (a) In addition to any other fees or costs levied, there is levied and  
23 there shall be collected as costs:

24 (1) In each civil case filed in each circuit, chancery, or  
25 probate court in this state, the sum of twenty-five cents (25¢);

26 (2) (A) Upon conviction or plea of guilty, plea of nolo  
27 contendere, or bond forfeiture, in each felony or misdemeanor or traffic  
28 violation for violation of state law or local ordinance case in each circuit  
29 court and each municipal court in this state, to be paid by the defendant, the  
30 sum of twenty-five cents (25¢).

31 (B) The costs set forth in subdivision (a) (2) (A) of this  
32 section may be imposed at the conclusion of any criminal case that does not  
33 end in an acquittal, dismissal, or, with the consent of the prosecution, a  
34 nolle prosequi, including, but not limited to, cases involving a suspended or  
35 probated sentence that at any time may be expunged or otherwise removed from  
36 the defendant's record.

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1 (b) All clerks of circuit, chancery, probate, and municipal court,  
2 sheriffs and other officers charged with the responsibility of collecting  
3 other costs in these cases shall, under the same penalties of law, collect the  
4 costs levied in this section. The costs levied herein shall be collected at  
5 the same time and in the same manner as other costs in these cases.

6 (c) All funds collected pursuant to the additional costs levied in this  
7 section shall be remitted monthly by the collecting officer to the county  
8 treasurer and shall be credited to a fund designated as the Arkansas Code  
9 Revision fund. On or before the tenth of each month the county treasurer  
10 shall remit all such funds to the Arkansas Code Revision Commission. The  
11 moneys received by the Arkansas Code Revision Commission shall be deposited in  
12 the State Treasury as special revenues and credited to the Arkansas Code  
13 Revision Fund."

14

15 SECTION 2. Arkansas Code 13-2-404 is amended to read as follows:

16 "13-2-404. County free library fund - Claims.

17 (a) All funds of the county free library shall be in the custody of the  
18 county treasurer and shall constitute a separate fund to be known as the  
19 county free library fund.

20 (b) Funds received by the county free library by gift, bequest, devise,  
21 or donation may remain in the custody of the county library board, if a board  
22 has been created or deposited with the county treasurer for the county free  
23 library fund if the county library board so chooses. Funds retained by the  
24 board shall be used by it for the establishment, maintenance, and operation of  
25 the county library.

26 (c) No claims against the county free library fund shall be approved by  
27 the county court until acted upon by the county library board, if the board  
28 has been created, and payment authorized by the board. The claims, when  
29 certified as valid claims by the board, shall be acted upon as all other  
30 claims against the county."

31

32 SECTION 3. Arkansas Code 14-20-105 is amended to read as follows:

33 "14-20-105. Monthly treasurer's report.

34 The county treasurer shall submit each month to the county quorum court  
35 a full report and a detailed statement of the financial condition of the

1 county, showing receipts, disbursements, and balance on hand."

2

3 SECTION 4. Arkansas Code 14-21-102(a)(3) is amended to read as follows:

4 "(3) The annual county financial report shall include a statement of  
5 the bonded indebtedness of the county."

6

7 SECTION 5. Arkansas Code 14-23-107(b)(2) is amended to read as follows:

8 "(2) In order that the prosecuting attorney and deputy prosecuting  
9 attorney can carry out their duties as prescribed in this section, the county  
10 treasurer of each county shall provide upon request to the prosecuting  
11 attorney or deputy prosecuting attorney of the judicial district in which the  
12 county is located a copy of the financial report which the county treasurer is  
13 required by A.C.A. § 14-20-105 to file with the quorum court of the county."

14

15 SECTION 6. Arkansas Code 14-24-101 is amended to read as follows:

16 "14-24-101. Issuance of warrant - Payment.

17 Whenever any allowance has been made by any county court, in accordance  
18 with §§ 14-23-104 and 14-23-105, when requested by the person in whose favor  
19 allowance has been made, or any person authorized to receive it, the county  
20 clerk shall issue his warrant or check on the treasurer of his county for the  
21 amount of the allowance. The treasurer shall pay it out of cash available in  
22 the fund on which the warrant or check is drawn. If money is not available in  
23 the fund on which the warrant or check is drawn the treasurer, in accordance  
24 with A.C.A. § 14-15-805, shall refuse payment of the warrant or check until  
25 such time as the funds are available. In counties using the \_batch-redeem\_  
26 warrant system the county clerk shall ascertain from county treasurer records  
27 that cash is available in the fund on which the warrant or check is to be  
28 drawn before the warrant or check is issued."

29

30 SECTION 7. Arkansas Code 15-41-209 is amended to read as follows:

31 "15-41-209. Fines, fees, and costs.

32 (a) All fines assessed against and collected from persons convicted for  
33 infractions of any of the state laws protecting game, fish, fur-bearing  
34 animals, or fresh water mussels shall be paid to the county treasurer or the  
35 municipal court clerk of the county wherein the fine is assessed and

1 forwarded, as provided, to the Arkansas Game and Fish Commission.

2 (b) The county treasurer or municipal court clerk shall give his receipt  
3 to any person paying the fine or to any officer of the court making settlement  
4 of fines collected. At the end of each four (4) months (April, August, and  
5 December), county treasurers or municipal court clerks shall file a report and  
6 forward all fines, collected under the provisions of this chapter, to the  
7 Arkansas Game and Fish Commission. The report, filed on forms provided by the  
8 Arkansas Game and Fish Commission, shall include the name of each defendant,  
9 court case number, name of the arresting officer, and the amount of the fine.

10 (c) The Arkansas Game and Fish Commission shall, upon receipt thereof,  
11 deposit the same with the Treasurer of State who shall deposit the monies as  
12 special revenues in the Game Protection Fund."

13

14 SECTION 8. Arkansas Code 19-4-408(a)(3)(B) is amended by inserting an  
15 additional paragraph at the end thereof to read as follows:

16 "(iii) If a school district uses the county treasurer as its treasurer,  
17 the State of Arkansas shall forward all state and federal funds for the  
18 district to the county treasurer, whether they are in the form of state  
19 warrants or electronic warrants transfers."

20

21 SECTION 9. Arkansas Code 19-8-107(a) and (b) are amended to read as  
22 follow:

23 "(a)(1) After the receipt from the Bank Commissioner of the list of  
24 banks or banking institutions and recommended amounts of public funds each may  
25 accept, it shall then be the duty of the depository boards to designate the  
26 banks or banking institutions in which the funds shall be deposited and to  
27 enter into a depository agreement with each designated institution.

28 (2) The boards may at any time enter into depository agreements with  
29 any new bank chartered if the bank is certified by the commissioner, upon  
30 request therefor, as being eligible as a depository of public funds under the  
31 laws of this state. The certificate shall contain the recommended amount of  
32 public funds the bank may accept.

33 (b) All depository agreements shall continue in full force and effect  
34 until the bank or banking institution receives written notice of revocation by  
35 the depository board or until there is a change of membership on the

1 depository board."

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3 SECTION 10. Arkansas Code 26-37-109(a) is amended to read as follows:

4 "(a) The county collectors of the various counties of the State of  
5 Arkansas are authorized to charge a fee of two dollars and fifty cents (\$2.50)  
6 for the issuance of each certificate of land redemption for each parcel of tax  
7 delinquent land redeemed in their office. This fee shall be deposited in the  
8 county general fund."

9

10 SECTION 11. The following sections of the Arkansas Code are repealed:

11 (a) 14-21-103.

12 (b) 14-72-401.

13 (c) 14-72-402.

14 (d) 14-72-403.

15 (e) 14-72-404.

16 (f) 14-72-405.

17 (g) 16-20-405.

18 (h) 26-39-407.

19

20 SECTION 12. All provisions of this act of a general and permanent  
21 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
22 Code Revision Commission shall incorporate the same in the Code.

23

24 SECTION 13. If any provision of this act or the application thereof to  
25 any person or circumstance is held invalid, such invalidity shall not affect  
26 other provisions or applications of the act which can be given effect without  
27 the invalid provision or application, and to this end the provisions of this  
28 act are declared to be severable.

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30 SECTION 14. All laws and parts of laws in conflict with this act are  
31 hereby repealed.

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APPROVED: 2-9-95

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