Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1	State of Arkansas	A D'11	
2	82nd General Assembly	A Bill	Act 960 of 1999
3	Regular Session, 1999		HOUSE BILL 1818
4			
5	By: Representative Hathorn	l.	
6			
7			
8		For An Act To Be Entitled	
9	"AN ACT TO AMEND VARIOUS SECTIONS OF THE ARKANSAS CODE		
10	ANNOTATED	RELATING TO THE SUPREME COURT LIBRA	RY; AND
11	FOR OTHER	PURPOSES. "	
12			
13		Subtitle	
14	"T0	AMEND VARIOUS SECTIONS OF THE	
15	ARKA	ANSAS CODE RELATING TO THE SUPREME	
16	COUF	RT LIBRARY. "	
17			
18			
19	BE IT ENACTED BY THE	GENERAL ASSEMBLY OF THE STATE OF ARK	ANSAS:
20			
21	SECTION 1. Ark	ansas Code Annotated § 16-11-110 is a	amended to read as
22	follows:		
23	"(a)(1) The CLe	rk of the Supreme Court shall take cl	harge of and keep all
24	books directed to be	placed in his custody by this section	n <mark>, and take charge of</mark>
25	and expend, under the	directions of the Supreme Court, all	l moneys appropriated
26	or collected under th	e provisions of this section for the	increase of the
27	library and paying it	s expenses. <u>Except as provided in thi</u>	<u>is section, the</u>
28	Supreme Court Library	shall be under the exclusive control	<u>l</u> and supervision of
29	the Justices of the S	upreme Court, who are hereby authori:	zed to make such
30	rules and regulations	regarding its use and operation as	they may deem proper.
31	(2) The c	lerk shall, before entering upon the	duties of his
32	office, give bond to	the State of Arkansas, with security	to be approved by
33	the Supreme Court, fo	r the faithful discharge of his dutio	es as librarian in
34	the penalty of five t	housand dollars (\$5,000). The bond sl	hall be filed with
35	the Secretary of Stat	e. There shall be a director of the	Supreme Court
36	Library who shall be	nominated by the Director of the Admi	<u>inistrative Office of</u>



1 the Courts, subject to the approval of the Supreme Court. Subsequent to the

2 appointment, the Director of the Supreme Court Library shall hold office at

3 the pleasure of the Supreme Court.

(b) All books obtained and placed in the library shall be the absolute 4 property of the state, subject to the control and management of the Supreme 5 Court, except items deposited in the library by the United States 6 7 Superintendent of Documents under the Federal Depository Library program, the reports of the Supreme Court of this state directed to be placed therein, 8 9 which may be exchanged by the Director of the Supreme Court Library librarian for the reports of the other states or of the United States courts, or for 10 11 other law books, under the direction of the Supreme Court, reserving for the 12 use of the Supreme Court three (3) copies of the reports.

(c) The <u>Director of the Supreme Court Library</u> Librarian shall have
authority to accept any donation of books, money, or property to increase the
library, and he shall be responsible on his bond for the faithful disposition
of any such donation. <u>Any donation of money shall be deposited in the Supreme</u>
<u>Court Library Fund.</u>

(d) The Secretary of State is directed, upon demand, to deliver to the
Clerk <u>Director</u> of the Supreme Court <u>Library</u>, whenever there are two (2) or
more copies of any statute book, or book of reports of any court of the United
States, or any other law book in his office, one (1) copy of every such
statute book or book of reports or law book.

(e) (1) Every person who is enrolled as an attorney in the Supreme Court
 shall pay a fee of twenty dollars (\$20.00) determined by rule of the Supreme
 <u>Court</u> for enrolling and recording the license and the certified transcript
 thereof furnished to the attorney.

27 (2) The clerk shall deposit this fee in the Supreme Court Library
28 Fund to be used by the Supreme Court for the maintenance and improvement of
29 the Supreme Court Library.

30 (f) It shall not be lawful for the justices of the Supreme Court or any
31 other person to remove from the library and consultation room any books to be
32 deposited in the library, except for use in the Supreme Court room.

33

34 empowered at any time to dispose of any books, magazines, papers, or files

35 which may be in the custody or care of the library and which may be found by

36 <u>the court to be no longer useful.</u>

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(1) The Director of the Supreme Court Library is authorized and

HB1818

1	(2) The disposition may be by any method permitted by law, as the
2	Director may determine. If the disposition is by sale, then the proceeds shall
3	be placed in the Supreme Court Library Fund."
4	
5	SECTION 2. Arkansas Code Annotated § 16-11-111 is hereby repealed.
6	16-11-111. Disposal of books, papers, magazines, and files.
7	(a) The Arkansas Supreme Court is authorized and empowered at any time
8	to dispose of any books, magazines, papers, or files which may be in the
9	library or in the clerk's office and which may be found by the court to be no
10	longer useful, by unanimous vote of the justices.
11	(b) The disposition may be by sale, gift, or burning, as the justices
12	may determine. If the disposition is by sale, then the proceeds shall be
13	placed in the Arkansas Supreme Court Library Fund.
14	
15	SECTION 3. All provisions of this act of a general and permanent nature
16	are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
17	Revision Commission shall incorporate the same in the Code.
18	
19	SECTION 4. If any provision of this act or the application thereof to
20	any person or circumstance is held invalid, such invalidity shall not affect
21	other provisions or applications of the act which can be given effect without
22	the invalid provision or application, and to this end the provisions of this
23	act are declared to be severable.
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25	SECTION 5. All laws and parts of laws in conflict with this act are
26	hereby repealed.
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29	APPROVED: 3/30/1999
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