

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

HOUSE BILL 1634

5 By: Representative Speaks
6 By: Senator B. Johnson
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING A COUNTY
10 TREASURER'S COMMISSION; AND FOR OTHER PURPOSES.
11

Subtitle

14 TO AMEND THE LAW CONCERNING A COUNTY
15 TREASURER'S COMMISSION.
16

17
18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
19

20 SECTION 1. Arkansas Code § 21-6-302 is amended to read as follows:

21 21-6-302. County treasurers - Commission - Definition - Findings.

22 (a) The General Assembly finds that:

23 (1) Requiring the collection of commissions from funds under
24 this section provides for fair and equitable treatment of the entities on the
25 books of the county;

26 (2) The exceptions to the collection of commissions from funds
27 are valid exceptions; and

28 (3) The exceptions to the collection of county treasurer
29 commissions under this section are the only valid exceptions.

30 (b) Unless otherwise provided by under subdivision (f)(1) or
31 subsection (g) of this section or under §§ 6-13-701, § 6-17-908, § 6-20-221,
32 § 8-15-111, § 14-90-913, § 14-174-109, § 14-284-403, and 21-6-104 or § 19-5-
33 1096, the county treasurers shall be required to collect, as a treasurer's
34 commission, two percent (2%) on all funds coming into their hands as
35 treasurers and to be paid out of the respective funds.

36 ~~(b)(c)~~ All The commissions collected under this section shall be paid



1 into the county treasury to the credit of the county treasurer's commission
 2 fund.

3 ~~(e)~~(d) All The moneys collected by the treasurer as commissions shall
 4 be used by the treasurer to offset administrative costs.

5 ~~(d)~~(e)(1) The treasurer may set aside up to ten percent (10%) of the
 6 gross commissions collected annually to be credited to the county treasurer's
 7 automation fund to be used:

8 (A) To operate the office of the county treasurer;

9 (B) For administrative costs; and

10 (C) To purchase, maintain, and operate an automated
 11 accounting and record-keeping system.

12 (2) The acquisition and update of software for the automated
 13 accounting and record-keeping system ~~shall be~~ are permitted uses of these
 14 funds.

15 (3)(A) Moneys deposited into ~~this fund~~ the county treasurer's
 16 automation fund may accumulate and are not subject to the distribution of
 17 excess commission.

18 (B) The moneys shall be appropriated and expended for the
 19 uses designated in this section by the quorum court at the direction of the
 20 treasurer.

21 ~~(e)~~(f)(1) The treasurer shall not receive ~~ne~~ a commission for the
 22 handling of revolving loan, equalizing, and vocational education funds,
 23 proceeds of school bond sales, money collected from insurance or risk
 24 management funds on losses, federal or state grants, funds the county
 25 treasurer is not statutorily or by ordinance authorized to manage, and ~~all~~
 26 nonrevenue receipts.

27 (2) As used in this subsection, "nonrevenue receipts" means
 28 reimbursement of all or a part of a payment made by the county.

29 ~~(f)~~(g)(1) ~~In~~ Except as provided in subdivision (g)(2) of this section,
 30 in the case of funds of a school district composed of area in two (2) or more
 31 counties, only the county treasurer of the county in which the district is
 32 administered shall be allowed a commission on ~~such~~ the funds.

33 (2) If the school district has a district treasurer, the county
 34 treasurer collecting the school district funds and remitting them to the
 35 district treasurer is allowed a commission on the funds of that school
 36 district in accordance with §§ 6-13-701 and 6-20-221.

1 (h) Annual commissions not used for the operation of the county
2 treasurer's office, except those commissions set aside in the county
3 treasurer's automation fund, shall be prorated to the appropriate entities as
4 excess commission.

5
6
7 **APPROVED: 03/08/2017**
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36