

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

HOUSE BILL

1100

By: Representatives Matthews and Hinshaw

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE OF 1987, TITLE 16, CHAPTER 17, SUBCHAPTER 2, TO CLARIFY THE JURISDICTION OF MUNICIPAL COURTS LOCATED IN CITIES WITH CITY LIMITS EXTENDING INTO AN ADJACENT COUNTY, AND FOR OTHER PURPOSES.

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

SECTION 1. Arkansas Code 16-17-206 is hereby amended to read as follows: "16-17-206. Jurisdiction of municipal courts. (a) Municipal courts and justices of the peace shall not have jurisdiction in civil cases where a lien on land or title or possession thereto is involved.

(b) The jurisdiction of a municipal court shall be coextensive with the county in which it is situated except:

(1) in counties having two (2) judicial districts, the jurisdiction shall be limited to the district in which the court is situated; or

(2) in cities which are primarily located in one county but the city limits extend into an adjacent county, the jurisdiction shall include that portion of the city limits which extends into the adjacent county. Appeals from municipal court decisions in such cities shall be made to the circuit court of the county in which the case arose."

SECTION 2. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 4. EMERGENCY. It is hereby found and determined by the General Assembly that uncertainty in the area of municipal court jurisdiction interferes with the administration of the criminal justice system of this state, and that this act should go into effect immediately upon passage to clarify the law in this area. Therefore, an emergency is hereby declared to exist and this act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.