

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

HOUSE BILL

1170

By: Representatives Shaver, Todd and Hogue

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE OF 1987 ANNOTATED §21-7-209 TO PERMIT CIRCUIT, CHANCERY AND PROBATE CLERKS, SHERIFFS AND OTHER ELECTED COUNTY OFFICIALS TO EXTEND CREDIT FOR COURT COSTS; AND FOR OTHER PURPOSES."

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

SECTION 1. Arkansas Code of 1987 Annotated §21-7-209 is hereby amended to read as follows:

"21-7-209. Credit for fees prohibited - Exception.

(a) Except as stated in subsections (b) and (c) of this section, no officer coming within the purview of this subchapter shall give credit to any person for fees or other emoluments or perquisites of his office unless in cases where parties are permitted by law to give bond for costs and the bond has been given as prescribed by law. In case any such prohibited credit shall be given, the amount thereof shall be charged to the officer as cash.

(b) A public officer performing services for an agency of the State of Arkansas for which a fee is provided in §21-6-307 or §21-6-406 may extend credit to that agency provided that statements demanding payment are submitted on at least a quarterly basis.

(c) Circuit, Chancery and Probate Court clerks, sheriffs and other elected county officials are authorized to extend credit for the payment of court costs and fees to licensed attorneys, financial institutions, improvement districts, and State and Federal agencies. Each official may establish policies within their office to implement the provisions of this act, which shall include a provision that withdraws this privilege from any person whose account remains past due and unpaid for thirty (30) days until the delinquent account is paid in full."

SECTION 2. Arkansas Code Annotated §16-58-114 is repealed.

SECTION 3. 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 4. All laws and parts of laws in conflict with this act are hereby repealed.