

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

HOUSE BILL

1191

By: Representatives Clark and Hatfield

For An Act To Be Entitled

"AN ACT TO AMEND VARIOUS SECTIONS OF ARKANSAS CODE OF 1987 ANNOTATED TO CREATE A NEW TWENTY-FIRST JUDICIAL DISTRICT COMPOSED OF CARROLL COUNTY AND MADISON COUNTY; AND FOR OTHER PURPOSES."

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

SECTION 1. Arkansas Code of 1987 Annotated §16-13-1201 is amended to read as follows:

"16-13-1201. Composition. Effective July 1, 1989, the Fourth District shall be composed of Washington County."

SECTION 2. Arkansas Code of 1987 Annotated §16-13-1202 is amended to read as follows:

"16-13-1202. Terms of court. The terms of court in the Fourth District, Washington County, shall commence on January 1; April 1; July 1; and October 1."

SECTION 3. Arkansas Code of 1987 Annotated §16-13-2701 is amended to read as follows:

"16-13-2701. Composition. Effective July 1, 1989, the Nineteenth District shall be composed of Benton County."

SECTION 4. Arkansas Code of 1987 Annotated §16-13-2702 is amended to read as follows:

"16-13-2702. Terms of court. The terms of court in the Nineteenth District, Benton County, shall commence on the third Mondays in March and September."

SECTION 5. (a) Effective July 1, 1989, there is created a new Twenty-first Judicial District composed of Madison County and Carroll County.

(b) The terms of court in each county in the Twenty-first Judicial District shall commence on the dates set forth below:

(1) Madison County: On the first Mondays in March and September.

(2) Carroll County: On the first Mondays in February and August.

(c) The qualified electors of the Twenty-first Judicial District shall elect one (1) circuit-chancery judge to serve the Twenty-first Judicial District who shall be a resident of the Twenty-first Judicial District. The Governor shall appoint a person to serve in such position from July 1, 1989 through December 31, 1990. The qualified electors of the Twenty-first Judicial District shall elect the circuit-chancery judge provided for herein at the November 1990 General Election to take office on January 1, 1991, and every four (4) years thereafter.

SECTION 6. Beginning with the 1990 General Election qualified electors of Washington County shall elect a prosecuting attorney to serve only the Fourth Judicial District, qualified electors of Benton County shall elect a prosecuting attorney to serve only the Nineteenth Judicial District, and the qualified electors of Madison and Carroll Counties shall elect a prosecuting attorney to serve the Twenty-first Judicial District.

SECTION 7. Arkansas Code of 1987 Annotated §16-21-117(b) (2) is amended to read as follows:

"(2) The Division B Judicial Circuits are the First, Fifth, Ninth-East, Ninth-West, Eleventh-East, Thirteenth, Fifteenth, Seventeenth-East, Seventeenth-West, Eighteenth-East, Eighteenth-West and Twenty-first."

SECTION 8. The provisions of this act shall not decrease or increase the terms of the office of the judges and prosecuting attorneys of the Fourth and Nineteenth Judicial Districts serving on the effective date of this act.

SECTION 9. 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 10. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 11. EMERGENCY. It is hereby found and determined by the General Assembly that it is essential to the effective and efficient administration of justice in the State of Arkansas that a new judicial district be established and a new judgeship be created within that district and that this act is immediately necessary to accomplish this purpose and should be given effect immediately. 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.