

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

HOUSE BILL

1773

By: Representative Hawkins

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE §16-17-402 TO PROVIDE FOR THE IMPOSITION OF COURT FEES AND FOR THE DISTRIBUTION OF THE COURT FEES; AND FOR OTHER PURPOSES."

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

SECTION 1. Arkansas Code §16-17-402 is hereby amended to read as follows:

"16-17-402. Establishment of municipal court by two or more cities or incorporated towns within the same county.

(a) Any two (2) or more cities or incorporated towns within the same county may, if the county does not have an established municipal court on March 7, 1973, enter into agreements whereby the judge of the municipal court elected to serve the municipal court of one of the cities or towns may serve as the judge of the municipal court established in other agreeing cities or towns.

(b) A municipal judge serving as the judge of two (2) or more municipal courts pursuant to an agreement entered into as authorized in this section shall be entitled to receive such compensation as may be determined and agreed upon by the governing body of the municipalities in which the judge serves as judge of the municipal court. The salary of the judge and other costs of the municipal court in the various municipalities shall be apportioned among the agreeing municipalities in such manner as shall be determined by the governing bodies of the agreeing municipalities.

(c) The municipal court may impose a fee of not more than twenty dollars (\$20.00) payable by the plaintiff in civil cases and payable by the defendant in criminal cases, including traffic offenses. The court shall distribute this fee to the cities served by the court in such proportion as shall be determined by the cities."

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 All laws and parts of laws in conflict with this act are hereby repealed.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 present law does not provide for court fees to be collected by municipal courts created under Arkansas Code §16-17-402; that the municipalities bear the financial burden of operating the municipal court; that this fee, to be collected in all civil and criminal cases, would relieve the municipalities from bearing the entire financial burden for operation of the municipal courts; that this act should go into effect immediately in order that the municipal courts can begin collecting this fee as soon as possible. Therefore, an emergency is hereby declared to exist and this act being immediately 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.