

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

SENATE BILL

253

By: Senator Hopkins

For An Act To Be Entitled

"AN ACT TO AMEND VARIOUS SECTIONS OF SUBCHAPTER 2 OF CHAPTER 18 OF TITLE 25 OF THE ARKANSAS CODE TO TRANSFER RESPONSIBILITY FOR DISTRIBUTION OF THE ARKANSAS SUPREME COURT REPORTS FROM THE SECRETARY OF STATE TO THE ARKANSAS JUDICIAL DEPARTMENT; AND FOR OTHER PURPOSES."

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

SECTION 1. Arkansas Code 25-18-210(a) is hereby amended to read as follows:

"(a) The Arkansas Judicial Department shall furnish the clerk of the circuit court of each county, the circuit judge, the chancery judge of each district, and the Governor with a set of reports, not including the first forty-seven (47) volumes, of the decisions of the Supreme Court of Arkansas. It shall furnish those persons and each prosecuting attorney in this state the forthcoming volumes of the reports, one (1) copy each, as they shall be published and bound. It shall also furnish each Justice of the Supreme Court of Arkansas two (2) copies of the Supreme Court Reports published thereafter, taking receipts therefor. It shall also furnish two (2) copies of each volume of the Arkansas Reports to the Attorney General's office and two (2) copies to the Secretary of State as soon as they are published and shall not furnish anyone else free copies of the reports."

SECTION 2. Arkansas Code 25-18-211(b) is hereby amended to read as follows:

"(b) The purchase of these sets of reports shall be in addition to the reports furnished by the Arkansas Judicial Department."

SECTION 3. Arkansas Code 25-18-213(a) and (b) are hereby amended to read

as follows:

"(a) It shall be the duty of the Director of the Department of Finance and Administration to make a check of the county libraries once a year and report his findings to the Arkansas Judicial Department.

(b) It shall be the duty of the Director of the Department of Finance and Administration to check the Arkansas Supreme Court Reports of each outgoing circuit clerk, and his findings shall be binding and shall be filed with the Arkansas Judicial Department."

SECTION 4. Arkansas Code 25-18-215 is hereby amended to read as follows:

"25-18-215. Arkansas Supreme Court Reports - Replacement of destroyed volumes.

If the reports of the Supreme Court shall be destroyed in the county library in any county in this state by causes not within the control of the circuit clerk, the director of the Department of Finance and Administration shall so ascertain and shall certify to the Arkansas Judicial Department the need for a new set of the Arkansas Supreme Court Reports, or replacements for the missing volumes, not including the first forty-seven (47) volumes."

SECTION 5. Arkansas Code 25-18-216 is hereby amended to read as follows:

"25-18-216. Arkansas Supreme Court Reports - Number of copies reserved by Arkansas Judicial Department.

(a) The whole number of reports in the office of the Arkansas Judicial Department shall not be reduced below the number of three (3) copies of each volume.

(b) The Arkansas Judicial Department shall reserve from sale fifty (50) volumes each of the reports for distribution to counties."

SECTION 6. Arkansas Code 25-18-217 is hereby amended to read as follows:

"25-18-217. Arkansas Supreme Court Reports - Expense of distribution.

The Arkansas Judicial Department shall be authorized to draw upon the contingent fund of that office for the payment of the necessary expense incurred by transmitting the Arkansas Supreme Court Reports to the respective officers entitled to receive them."

SECTION 7. Arkansas Code 25-18-218(b) is hereby amended to read as follows:

"(b) The Arkansas Judicial Department shall sell each volume of the Arkansas Supreme Court Reports for an amount equal to the cost of the volume plus postage costs."

SECTION 8. Arkansas Code 25-18-220 is hereby amended to read as follows:

"25-18-220. Exchange of books with federal, state, and foreign entities.

(a) (1) The Arkansas Judicial Department is authorized to exchange with other states and countries the reports of the Supreme Court and he shall furnish, upon demand, to the federal courts of Arkansas the reports of the Arkansas Supreme Court beginning with Volume 126.

(2) The Secretary of State is authorized to exchange with other states and countries the acts of the General Assembly of the state of Arkansas, when bound and ready for distribution, and digests of the statutes, when revised and published, that extend to this state similar courtesies. He is also to furnish, upon demand, to the federal courts of Arkansas the current digest of the statutes of Arkansas, and the acts of the General Assembly.

(b) (1) The Secretary of State is further authorized to distribute to the Library of Congress the acts of the General Assembly of the state of Arkansas, digests of the statutes after they have been published, and all other publications of any sort by the state of Arkansas or any department or agency thereof. Provided, the Arkansas Judicial Department is authorized to furnish reports of the Supreme Court to the Library of Congress.

(2) The Secretary of State shall not distribute to the Library of Congress more than eight (8) copies of the acts, digests, and other publications.

(3) In no event shall any number be so distributed to the Library of Congress until that library shall agree to furnish to the state of Arkansas for the use of the Supreme Court Library, a like number of the copies of all similar publications made by the United States Government."

SECTION 9. Arkansas Code 25-18-221 is hereby amended to read as follows:

"25-18-221. Distribution of reports and proceedings of General Assembly to Law Library Association, Inc., Shelby County, Tennessee.

(a) The Arkansas Judicial Department is directed to deliver to the Law Library Association, Inc. of Shelby County, Tennessee, as a donation and without charge, as they are published, all volumes of the reports of the Arkansas Supreme Court.

(b) The Secretary of State is directed to deliver to the Law Library Association Inc., of Shelby County Tennessee, as a donation and without charge, as they are published, all volumes of the proceedings of the General Assembly of this state."

SECTION 10. 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 11. All laws and parts of laws in conflict with this Act are hereby repealed.