

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representative Pryor**

A Bill

HOUSE BILL 2077

For An Act To Be Entitled

8 "AN ACT TO ESTABLISH THE STATE AND LOCAL COURTS COST STUDY
9 COMMISSION; AND FOR OTHER PURPOSES."

Subtitle

12 "TO ESTABLISH THE STATE AND LOCAL COURTS COST STUDY
13 COMMISSION."

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

17 SECTION 1. (a) There is hereby created the State and Local Courts Cost
18 Study Commission to be composed of *eighteen (18)* members to be appointed in
19 the manner and to represent various interests as follows:

20 (1) *Four (4) members of the Judiciary Committee, two (2) to be*
21 *Senators and two (2) to be Representatives, to be appointed by the Co-Chairman*
22 *of the Joint Interim Judiciary Committee;*

23 (2) *The Attorney General or his designee;*

24 (3) *One (1) member representing the University of Arkansas System*
25 *to be appointed by the Governor;*

26 (4) *One (1) member representing the Arkansas Municipal League to*
27 *be recommended by the Arkansas Municipal League and appointed by the*
28 *concurrence of the Speaker of the House and the President Pro Tempore of the*
29 *Senate;*

30 (5) *One (1) member representing the Association of Arkansas*
31 *Counties to be recommended by the Association of Arkansas Counties and*
32 *appointed by the concurrence of the Speaker of the House and the President Pro*
33 *Tempore of the Senate;*

34 (6) *One (1) member representing the Arkansas County Judges*
35 *Association to be recommended by the Arkansas County Judges Association and*

1 appointed by the concurrence of the Speaker of the House and the President Pro
2 Tempore of the Senate;

3 (7) One (1) member representing the Circuit/Chancery Judges of
4 Arkansas to be recommended by the Arkansas Judicial Council and appointed by
5 the Governor;

6 (8) One (1) member representing the Prosecuting Attorney_s
7 Association to be recommended by the Prosecuting Attorney_s Association and
8 appointed by the Governor;

9 (9) One (1) member representing the Municipal Judge_s Association
10 to be recommended by the Municipal Judge_s Association and appointed by the
11 Governor;

12 (10) One (1) member representing the Arkansas Supreme Court to be
13 appointed by the Chief Justice of the Arkansas Supreme Court;

14 (11) One (1) member representing the Arkansas Bar Association to
15 be recommended by the Arkansas Bar Association and appointed by the Governor;

16 (12) One (1) member representing the Arkansas Circuit Clerks
17 Associaton to be recommended by the Arkansas Circuit Clerks Association and
18 appointed by the concurrence of the Speaker of the House and the President Pro
19 Tempore of the Senate;

20 (13) The Dean of the University of Arkansas at Fayetteville Law School;

21 (14) The Dean of the University of Arkansas at Little Rock Law School;
22 and

23 (15) The Attorney General or his designated representative.

24 (b) The Speaker of the House shall select one (1) of the
25 Representatives as a co-chairman, and the President Pro Tempore of the Senate
26 shall select one (1) of the Senators as a co-chairman.

27 (c) A member of the commission shall continue to serve on the
28 commission, until he or she no longer wishes to serve or no longer qualifies
29 to represent or no longer is a member of the committee, body, or organization
30 which he or she was appointed to represent. Any vacancy on the commission
31 shall be filled by the original appointing authority with another qualifying
32 member of the committee, body, or organization.

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34 SECTION 2. (a) Members of the commission who are state employees shall
35 serve without compensation but may be reimbursed for expenses and travel by

1 *their employing agencies in the maximum amounts prescribed by the Department*
2 *of Finance and Administration for state employees.*

3 (b) *Legislative members of the commission shall be entitled to per diem*
4 *and mileage at the same rate authorized by law for attendance at meetings of*
5 *joint interim committees of the General Assembly. Legislative members of the*
6 *commission may receive payment for per diem and mileage from appropriated*
7 *funds for the joint interim committees which they represent, for the joint*
8 *interim committees on which they serve, or from appropriated funds for travel*
9 *and expenses for the house of the General Assembly in which they serve.*

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11 SECTION 3. (a) *The State and Local Courts Cost Study Commission shall*
12 *be charged with reviewing the system of state and local courts. It shall*
13 *further study court fees, costs and fines used to support the court system, so*
14 *as to develop legislation pertaining to the structure of the state's court*
15 *system and the financing of the state's court system. It shall further study*
16 *the feasibility of reducing the cost of the courts borne by the cities and*
17 *counties and shifting their burden to the state without sacrificing efficiency*
18 *or the high standards of the various Arkansas court systems, and develop*
19 *legislation accordingly.*

20 (b) *To facilitate the work of the commission, each clerk of a limited*
21 *or general jurisdiction court shall provide the commission a copy of the*
22 *monthly report required under Arkansas Code § 16-10-209 and each financial*
23 *officer of a state agency, board, or commission which receives revenue from*
24 *court fees, costs, or fines shall report to the commission on a monthly basis*
25 *the receipts from the costs, fees, or fines. Upon approval by the Legislative*
26 *Joint Auditing Committee, the staff of the Legislative Joint Auditing*
27 *Committee shall assist the commission with the receipt and reporting of the*
28 *monthly reports and, when requested, shall prepare interim reports for the*
29 *commission.*

30 (c) *The State and Local Courts Cost Study Commission shall submit a*
31 *report and its recommendations for any proposed legislation to the Joint*
32 *Interim Judiciary Committee of the Arkansas General Assembly on or before*
33 *September 1, 1994. The commission shall expire on January 1, 1995.*

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35 SECTION 4. *All provisions of this act of a general and permanent nature*

1 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
2 Revision Commission shall incorporate the same in the Code.

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4 SECTION 5. If any provision of this act or the application thereof to
5 any person or circumstance is held invalid, such invalidity shall not affect
6 other provisions or applications of the act which can be given effect without
7 the invalid provision or application, and to this end the provisions of this
8 act are declared to be severable.

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10 SECTION 6. All laws and parts of laws in conflict with this act are
11 hereby repealed.

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/s/M. Pryor

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