

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995
4 By: Representative Davis

A Bill

HOUSE BILL 1195

For An Act To Be Entitled

"AN ACT TO AMEND AND REPEAL VARIOUS SECTIONS OF THE
ARKANSAS CODE RELATING TO FINANCIAL REPORTING AND OTHER
AREAS OF COUNTY FINANCE PERTAINING TO THE COUNTY TREASURER
AND OTHER COUNTY OFFICIALS; AND FOR OTHER PURPOSES."

Subtitle

"FINANCIAL REPORTING AND OTHER AREAS OF
COUNTY FINANCE PERTAINING TO THE COUNTY
TREASURER AND OTHER COUNTY OFFICIALS."

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

SECTION 1. Arkansas Code 1-2-306 is amended to read as follows:

"1-2-306. Additional court fees.

(a) In addition to any other fees or costs levied, there is levied and there shall be collected as costs:

(1) In each civil case filed in each circuit, chancery, or probate court in this state, the sum of twenty-five cents (25¢);

(2)(A) Upon conviction or plea of guilty, plea of nolo contendere, or bond forfeiture, in each felony or misdemeanor or traffic violation for violation of state law or local ordinance case in each circuit court and each municipal court in this state, to be paid by the defendant, the sum of twenty-five cents (25¢).

(B) The costs set forth in subdivision (a)(2)(A) of this section may be imposed at the conclusion of any criminal case that does not end in an acquittal, dismissal, or, with the consent of the prosecution, a nolle prosequi, including, but not limited to, cases involving a suspended or probated sentence that at any time may be expunged or otherwise removed from

1 the defendant's record.

2 (b) All clerks of circuit, chancery, probate, and municipal court,
3 sheriffs and other officers charged with the responsibility of collecting
4 other costs in these cases shall, under the same penalties of law, collect
5 the costs levied in this section. The costs levied herein shall be collected
6 at the same time and in the same manner as other costs in these cases.

7 (c) All funds collected pursuant to the additional costs levied in
8 this section shall be remitted monthly by the collecting officer to the
9 county treasurer and shall be credited to a fund designated as the Arkansas
10 Code Revision fund. On or before the tenth of each month the county
11 treasurer shall remit all such funds to the Arkansas Code Revision
12 Commission. The moneys received by the Arkansas Code Revision Commission
13 shall be deposited in the State Treasury as special revenues and credited to
14 the Arkansas Code Revision Fund."

15

16 SECTION 2. Arkansas Code 13-2-404 is amended to read as follows:

17 "13-2-404. County free library fund - Claims.

18 (a) All funds of the county free library shall be in the custody of
19 the county treasurer and shall constitute a separate fund to be known as the
20 county free library fund.

21 (b) Funds received by the county free library by gift, bequest,
22 devise, or donation may remain in the custody of the county library board, if
23 a board has been created or deposited with the county treasurer for the
24 county free library fund if the county library board so chooses. Funds
25 retained by the board shall be used by it for the establishment, maintenance,
26 and operation of the county library.

27 (c) No claims against the county free library fund shall be approved
28 by the county court until acted upon by the county library board, if the
29 board has been created, and payment authorized by the board. The claims, when
30 certified as valid claims by the board, shall be acted upon as all other
31 claims against the county."

32

33 SECTION 3. Arkansas Code 14-20-105 is amended to read as follows:

34 "14-20-105. Monthly treasurer's report.

35 The county treasurer shall submit each month to the county quorum court

1 a full report and a detailed statement of the financial condition of the
2 county, showing receipts, disbursements, and balance on hand."

3

4 SECTION 4. Arkansas Code 14-21-102(a)(3) is amended to read as
5 follows:

6 "(3) The annual county financial report shall include a statement of
7 the bonded indebtedness of the county."

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9 SECTION 5. Arkansas Code 14-23-107(b)(2) is amended to read as
10 follows:

11 "(2) In order that the prosecuting attorney and deputy prosecuting
12 attorney can carry out their duties as prescribed in this section, the county
13 treasurer of each county shall provide upon request to the prosecuting
14 attorney or deputy prosecuting attorney of the judicial district in which the
15 county is located a copy of the financial report which the county treasurer
16 is required by A.C.A. § 14-20-105 to file with the quorum court of the
17 county."

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19 SECTION 6. Arkansas Code 14-24-101 is amended to read as follows:

20 "14-24-101. Issuance of warrant - Payment.

21 Whenever any allowance has been made by any county court, in accordance
22 with §§ 14-23-104 and 14-23-105, when requested by the person in whose favor
23 allowance has been made, or any person authorized to receive it, the county
24 clerk shall issue his warrant or check on the treasurer of his county for the
25 amount of the allowance. The treasurer shall pay it out of cash available in
26 the fund on which the warrant or check is drawn. If money is not available
27 in the fund on which the warrant or check is drawn the treasurer, in
28 accordance with A.C.A. § 14-15-805, shall refuse payment of the warrant or
29 check until such time as the funds are available. In counties using the
30 batch-redeem warrant system the county clerk shall ascertain from county
31 treasurer records that cash is available in the fund on which the warrant or
32 check is to be drawn before the warrant or check is issued."

33

34 SECTION 7. Arkansas Code 15-41-209 is amended to read as follows:

35 "15-41-209. Fines, fees, and costs.

1 (a) All fines assessed against and collected from persons convicted for
2 infractions of any of the state laws protecting game, fish, fur-bearing
3 animals, or fresh water mussels shall be paid to the county treasurer or the
4 municipal court clerk of the county wherein the fine is assessed and
5 forwarded, as provided, to the Arkansas Game and Fish Commission.

6 (b) The county treasurer or municipal court clerk shall give his
7 receipt to any person paying the fine or to any officer of the court making
8 settlement of fines collected. At the end of each four (4) months (April,
9 August, and December), county treasurers or municipal court clerks shall file
10 a report and forward all fines, collected under the provisions of this
11 chapter, to the Arkansas Game and Fish Commission. The report, filed on
12 forms provided by the Arkansas Game and Fish Commission, shall include the
13 name of each defendant, court case number, name of the arresting officer, and
14 the amount of the fine.

15 (c) The Arkansas Game and Fish Commission shall, upon receipt thereof,
16 deposit the same with the Treasurer of State who shall deposit the monies as
17 special revenues in the Game Protection Fund."
18

19 SECTION 8. Arkansas Code 19-4-408(a)(3)(B) is amended by inserting an
20 additional paragraph at the end thereof to read as follows:

21 "(iii) If a school district uses the county treasurer as its
22 treasurer, the State of Arkansas shall forward all state and federal funds
23 for the district to the county treasurer, whether they are in the form of
24 state warrants or electronic warrants transfers."
25

26 SECTION 9. Arkansas Code 19-8-107(a) and (b) are amended to read as
27 follow:

28 "(a)(1) After the receipt from the Bank Commissioner of the list of
29 banks or banking institutions and recommended amounts of public funds each
30 may accept, it shall then be the duty of the depository boards to designate
31 the banks or banking institutions in which the funds shall be deposited and
32 to enter into a depository agreement with each designated institution.

33 (2) The boards may at any time enter into depository agreements with
34 any new bank chartered if the bank is certified by the commissioner, upon
35 request therefor, as being eligible as a depository of public funds under the

1 laws of this state. The certificate shall contain the recommended amount of
2 public funds the bank may accept.

3 (b) All depository agreements shall continue in full force and effect
4 until the bank or banking institution receives written notice of revocation
5 by the depository board or until there is a change of membership on the
6 depository board."

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8 SECTION 10. Arkansas Code 26-37-109(a) is amended to read as follows:

9 "(a) The county collectors of the various counties of the State of
10 Arkansas are authorized to charge a fee of two dollars and fifty cents
11 (\$2.50) for the issuance of each certificate of land redemption for each
12 parcel of tax delinquent land redeemed in their office. This fee shall be
13 deposited in the county general fund."

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15 SECTION 11. The following sections of the Arkansas Code are repealed:

16 (a) 14-21-103.

17 (b) 14-72-401.

18 (c) 14-72-402.

19 (d) 14-72-403.

20 (e) 14-72-404.

21 (f) 14-72-405.

22 (g) 16-20-405.

23 (h) 26-39-407.

24

25 SECTION 12. All provisions of this act of a general and permanent
26 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
27 Code Revision Commission shall incorporate the same in the Code.

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29 SECTION 13. If any provision of this act or the application thereof to
30 any person or circumstance is held invalid, such invalidity shall not affect
31 other provisions or applications of the act which can be given effect without
32 the invalid provision or application, and to this end the provisions of this
33 act are declared to be severable.

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35 SECTION 14. All laws and parts of laws in conflict with this act are

1 hereby repealed.

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