

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Representative Flanagin

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## For An Act To Be Entitled

8 "AN ACT TO ALLOW COUNTY QUORUM COURTS TO LEVY AN  
9 ADDITIONAL COURT COST OF THREE DOLLARS TO BE DEPOSITED IN  
10 THE COUNTY CONSTABLE FUND; AND FOR OTHER PURPOSES."

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### Subtitle

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

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20 SECTION 1. (a) The quorum court of any county, by appropriate county  
21 legislation, may provide for the creation of a fund entitled "County  
22 Constable Fund" to be used exclusively for salaries, supplies, equipment, and  
23 other expenses for constables elected within that county.

24 (b) Any court desiring to establish such a fund shall have the  
25 authority to provide for a fee, not to exceed the sum of three dollars  
26 (\$3.00), to be taxed as costs in each matter, civil or criminal, filed in any  
27 circuit, chancery, probate, municipal, city, police or mayor\_s court within  
28 the county. All sheriffs, constables, municipal court clerks, city clerks,  
29 or other officers charged by law with the collection of the other costs in  
30 any of these cases are required under the same penalties of law to collect  
31 the costs taxed and assessed in this section. No officer of any court may  
32 make a separate remission of the additional costs taxed by this section.

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(1) The costs specified in this section shall be collected at

the time and in the manner as are other costs in such cases.

(2) No city or county shall be liable for the payment of the

1 costs taxed in this section in any instance where they are not collected or  
2 in any case in which the defendant pays the costs by serving time in a jail,  
3 on a county farm, or at any other official place of detention or work.

4 (c) All funds collected pursuant to the additional costs levied in  
5 this section shall be immediately paid over by the court clerk or the  
6 collecting officer to the county treasurer, who shall deposit the funds in  
7 the account entitled by the County Constable Fund.

8 (d) All funds collected under this section shall be deposited into the  
9 County Constable Fund and used exclusively as provided for in this act.

10 (e) In order for a constable to be eligible to receive funds to be  
11 appropriated from the County Constable Fund by the quorum court, he must meet  
12 or exceed the appointment and training requirements for an auxiliary law  
13 enforcement officer as set forth in Arkansas Code Annotated § 12-9-301 et  
14 seq.

15 (f) Constables eligible to receive these funds are entitled to a  
16 salary of not less than one thousand two hundred dollars (\$1,200) per year  
17 unless there are insufficient funds available, and in that instance, the  
18 funds shall be distributed equally among the eligible and participating  
19 constables.

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21 SECTION 2. All provisions of this act of a general and permanent  
22 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
23 Code Revision Commission shall incorporate the same in the Code.

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25 SECTION 3. If any provision of this act or the application thereof to  
26 any person or circumstance is held invalid, such invalidity shall not affect  
27 other provisions or applications of the act which can be given effect without  
28 the invalid provision or application, and to this end the provisions of this  
29 act are declared to be severable.

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31 SECTION 4. All laws and parts of laws in conflict with this act are  
32 hereby repealed.

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