

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997
4

As Engrossed: H2/27/97 H3/7/97 H3/13/97

A Bill

HOUSE BILL 1330

5 By: Representative Madison
6
7

For An Act To Be Entitled

9 "AN ACT TO PROVIDE THAT STATE AND LOCAL GOVERNMENTS MAY
10 CHARGE NO MORE THAN TEN CENTS PER COPY FOR COPYING
11 DOCUMENTS FOR THE PUBLIC; AND FOR OTHER PURPOSES."
12

Subtitle

13
14 "TO PROVIDE THAT STATE AND LOCAL
15 GOVERNMENTS MAY CHARGE NO MORE THAN TEN
16 CENTS PER COPY FOR COPYING DOCUMENTS FOR
17 THE PUBLIC."
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. No agency, board, commission, or other entity of the State
22 of Arkansas, or any city, county, or school district within the State of
23 Arkansas may charge more than ten cents (10¢) per page for photo copying
24 documents which are subject to the Freedom of Information Act, Arkansas Code
25 25-19-101 et seq. The provisions of this act shall not apply to motor vehicle
26 accident reports or records of traffic violations maintained by local law
27 enforcement agencies.
28

29 SECTION 2. Arkansas Code 3-2-217 is amended to read as follows:

30 "3-2-217. Transcript fees.

31 (a) There is fixed a cost of one dollar and fifty cents (\$1.50) per
32 page for each original page of transcript of record of proceedings had before
33 the Director of the Alcoholic Beverage Control Division, pertaining to an
34 application for the manufacture, selling, or dispensing of alcoholic
35 beverages, or from a hearing of a violation against a permit which is appealed
36 to the board, and for each page of original transcript where an appeal is

1 taken from any decision of the board to a circuit court.

2 (b) The fee as provided for herein shall be paid to the Director of the
3 Alcoholic Beverage Control Division by the person taking the appeal upon
4 completion of the transcript, and the moneys shall be deposited into the
5 general revenues of the State of Arkansas.

6 (c) All copies of the original transcript shall cost ~~forty cents (40¢)~~
7 ten cents (10¢) per page, and the sums shall be collected and deposited as
8 provided in subsection (b) of this section."

9

10 SECTION 3. Arkansas Code 4-26-1202(9) which is a superseded provision
11 relating to fees charged by the Secretary of State is repealed.

12 ~~----- (9) For furnishing a certified copy of any document, fifty cents (50¢)~~
13 ~~per page and one dollar (\$1.00) for the certificate thereto.~~

14

15 SECTION 4. Arkansas Code 4-27-1705(10) pertaining to fees charged by
16 the Secretary of State is amended to read as follows:

17 "(10) For furnishing a certified copy of any document, ~~fifty cents~~
18 ~~(50¢)~~ ten cents (10¢) per page and five dollars (\$5.00) for the certificate
19 thereto"

20

21 SECTION 5. Arkansas Code 16-13-506 is amended to read as follows:

22 "16-13-506. Court reporters - Transcript fees.

23 (a)(1) When required to make a transcript of court proceedings, each
24 court reporter of the circuit and chancery courts shall be entitled to
25 compensation at the rate of three dollars and ten cents (\$3.10) per page for
26 *the original and two (2) copies and at the rate of fifty cents (50¢) per page*
27 *for each additional certified copy and ten cents (10¢) per page for each*
28 *uncertified copy;*

29 (2) When required to prepare photocopied evidence as part of a
30 transcript, each reporter shall be entitled to compensation therefor at the
31 rate of one dollar and fifty cents (\$1.50) per page, for an original and two
32 *(2) copies and at the rate of fifty cents (50¢) per page for each additional*
33 *certified copy thereafter, and ten cents (10¢) per page for each uncertified*
34 *copy, with the cost to be paid by the parties ordering transcripts.*

35 (b) In indigent and in forma pauperis proceedings, the compensation to
36 the court reporter for transcripts, provided for in subsection (a) of this

1 section, shall be paid by the State of Arkansas. However, in such proceedings,
2 the court reporters shall be entitled to compensation from the state only for
3 the original and two (2) copies of the transcript. The payments shall be made
4 only upon certification thereof by the presiding judge and shall be paid by
5 the Auditor of State from funds appropriated therefor out of the Court
6 Reporters' Fund."

7

8 SECTION 6. Arkansas Code 16-14-106 is amended to read as follows:

9 "16-14-106. Court reporters - Transcript fees.

10 (a)(1) When required to make a transcript of court proceedings, each
11 court reporter of the probate courts shall be entitled to compensation at the
12 rate of three dollars and ten cents (\$3.10) per page for the original and two
13 (2) copies, and at a rate of fifty cents (50¢) per page for each additional
14 certified copy and ten cents (10¢) per page for each uncertified copy;

15 (2) When required to prepare photocopied evidence as part of a
16 transcript, each reporter shall be entitled to compensation therefor at the
17 rate of one dollar and fifty cents (\$1.50) per page, for an original and two
18 (2) copies, and at a rate of fifty cents (50¢) per page for each additional
19 certified copy thereafter and ten cents (10¢) per page for each uncertified
20 copy, with the cost to be paid by the parties ordering transcripts.

21 (b) In indigent and in forma pauperis proceedings, the compensation to
22 the court reporter for transcripts, provided for in subsection (a) of this
23 section, shall be paid by the State of Arkansas. However, in such proceedings,
24 the court reporters shall be entitled to compensation from the state only for
25 the original and two (2) copies of the transcript. The payments shall be made
26 only upon certification thereof by the presiding judge and shall be paid by
27 the Auditor of State from funds appropriated therefor out of the Court
28 Reporters' Fund."

29

30 SECTION 7. Arkansas Code 17-97-204(c) pertaining to fees charged by the
31 Board of Examiners in Psychology is amended to read as follows:

32 "(c) The fees and penalties shall be limited to the following types
33 with the maximum amounts as indicated:

34 Type of Service	Maximum Charge
35 Photocopying, per page	\$ 1.00 <u>.10</u>
36 Personal Name Change	10.00

1	Service Charge on Returned Checks	20.00
2	Replacement of Returned Checks	20.00
3	Temporary Permit	100.00
4	Delinquent Payment.....	50.00"

5

6 SECTION 8. Arkansas Code 21-6-202(a) is amended to read as follows:

7 "(a) The following fees shall be allowed for services performed by the
8 Secretary of State and paid into the State Treasury in the same manner that
9 all other fees are or shall be directed to be paid:

10 (1) For affixing the Great Seal of the State, or the Seal of the
11 Secretary of State to any instrument\$ 5.00

12 (2) For every commission issued to a citizen of another state or
13 apostilles10.00

14 (3) For every commission issued to a state officer other than
15 prosecuting attorneys15.00

16 (4) For every commission issued to prosecuting attorneys.....15.00

17 (5) For every commission issued to a sheriff, collector, clerk,
18 county judge, treasurer, assessor, coroner, or surveyor.....10.00

19 (6) For every commission issued to any other county officer or
20 justice of the peace other than members of the General Assembly..... 5.00

21 (7) For all copies of records or other written or printed files in
22 the office of the Secretary of State, and for recording, for every page. ~~80~~10

23 (8) For all copies of maps, profiles, or other files of a similar
24 nature, such fee as may be established by the Secretary of State, to be
25 determined with reference to the amount of clerical labor and stationery
26 required to make such copies, at the rate of not less than one dollar (\$1.00)
27 per hour for the time employed in making the copies."

28

29 SECTION 9. Arkansas Code 21-6-203(a) pertaining to fees charged by the
30 State Land Commissioner is amended to read as follows:

31 "(a) The following fees shall be charged and collected by the
32 Commissioner of State Lands:

33 (1) Emerged Land Deeds issued pursuant to §§22-5-404, 22-5-405 ...\$ 5.00

34 (2) Deeds to 16th section school lands under §22-5-4075.00

35 (3) Quitclaim deed of mineral interest under §22-6-5025.00

36 (4) Issuance of duplicate deeds and patents under §22-6-1045.00

1	(5) Issuance of original patents under §22-6-105	5.00
2	(6) Redemption deeds issued under §26-37-310	5.00
3	(7) Issuance of sale deeds	5.00
4	(8) Double entry statements	3.00
5	(9) Disclaimers	3.00
6	(10) For each page of field notes issued by the Office of the State	
7	Land Commissioner	50 <u>.10</u>
8	(11) A fee of five dollars (\$5.00) plus actual cost for each Government	
9	Land Office plat copied and distributed."	

10

11 SECTION 10. Arkansas Code 21-6-401(c)(3) pertaining to fees charged by
12 the Clerk of the Supreme Court is amended to read as follows:

13 "(c) The clerk shall also be allowed:

14	(1) For each certificate and seal.....	\$ 1.00
15	(2) For acknowledging each deed50
16	(3) For copies of papers and records per page	50 <u>.10</u>
17	(4) For enrolling and recording the license of each attorney	
18	permitted to practice in the Supreme Court, and the certified transcript	
19	thereof furnished the attorney	20.00
20	(5) For other services, the same fees allowed clerks of the	
21	circuit court."	

22

23 SECTION 11. Arkansas Code 23-37-107(9) pertaining to fees charged by
24 the Securities Commissioner when acting as supervisor of savings and loan
25 associations is amended to read as follows:

26 "(9) For each certificate of the supervisor authenticating any document
27 or other instrument, a fee of two dollars and fifty cents (\$2.50), plus ~~two~~
28 ~~dollars (\$2.00)~~ ten cents (10¢) for each page of such document or instrument;"

29

30 SECTION 12. Arkansas Code 23-61-401(14)(A) pertaining to fees charged
31 by the Insurance Commissioner is amended to read as follows:

32 "(14) Miscellaneous services:

33	(A) For copies of documents and records on file in State	
34	Insurance Department, per page.....	1.00 <u>.10</u> "

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36 SECTION 13. Arkansas Code 27-19-406 pertaining to copy charges by the

1 Office of Driver Services is amended to read as follows:

2 "(a) The office shall, upon request, furnish any person a certified
3 abstract of the operating record of any person subject to the provisions of
4 this chapter, which shall include enumeration of any motor vehicle accidents
5 in which the person has been involved and reference to any convictions of the
6 person for violation of the motor vehicle laws as reported to the office, and
7 a record of any vehicles registered in the name of the person.

8 (b) The office shall collect for each abstract the sum of ~~fifty cents~~
9 ~~(50¢)~~ ten cents (10¢) for each page."

10

11 SECTION 14. Arkansas Code 27-53-210 is amended to read as follows:

12 "27-53-210. Copies - Fee.

13 (a) Photostatic or written copies of reports and records may be
14 obtained from the Director of the Department of Arkansas State Police, or from
15 his duly designated assistants, by any person who shall request the department
16 for them in writing.

17 (b)(1) In order to partially reimburse the department for the cost of
18 making photostatic or written copies of motor vehicle accident reports and of
19 records of traffic violations, there shall be charged a fee of ten dollars
20 (\$10.00) for each copy of a basic accident report and ~~one dollar and fifty~~
21 ~~cents (\$1.50)~~ ten cents (10¢) per page for each copy of supplemental reports.

22 (2) All funds collected under this subsection shall immediately
23 be paid over by the department to the Treasurer of State and shall be credited
24 by him as a special revenue to the Department of Arkansas State Police Fund."

25

26 SECTION 15. All provisions of this act of a general and permanent
27 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
28 Code Revision Commission shall incorporate the same in the Code.

29

30 SECTION 16. If any provision of this act or the application thereof to
31 any person or circumstance is held invalid, such invalidity shall not affect
32 other provisions or applications of the act which can be given effect without
33 the invalid provision or application, and to this end the provisions of this
34 act are declared to be severable.

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36 SECTION 17. All laws and parts of laws in conflict with this act are

1 hereby repealed.

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/s/Rep. Madison

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