

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

# A Bill

HOUSE BILL 1679

4  
5 By: Representative Stalnaker

## For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 16-17-704 PERTAINING TO THE  
10 JURISDICTIONAL LIMIT ON THE AMOUNT IN CONTROVERSY; AND FOR  
11 OTHER PURPOSES."

### Subtitle

13 "AN ACT TO AMEND ARKANSAS CODE 16-17-704  
14 PERTAINING TO THE JURISDICTIONAL LIMIT  
15 ON THE AMOUNT IN CONTROVERSY; AND FOR  
16 OTHER PURPOSES."

18  
19 WHEREAS, Arkansas Constitution, Amendment 64 authorizes the General Assembly  
20 to increase or decrease the jurisdictional limit by a two-thirds vote of each  
21 house of the General Assembly.

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

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25 SECTION 1. Arkansas Code 16-17-704 is amended to read as follows:

26 "§ 16-17-704. Original jurisdiction coextensive with county.

27 (a) The municipal court shall have original jurisdiction, coextensive  
28 with the county wherein the court is situated, over the following matters:

29 (1) Exclusive of justices of the peace and of the circuit court,  
30 over violations of all ordinances passed by the city council of the city or  
31 quorum court of the county wherein the municipal court is situated;

32 (2) Exclusive of justices of the peace in townships subject to  
33 this subchapter and concurrent with the circuit court, over misdemeanors  
34 committed within the county and the issuance of search warrants within the  
35 county;

36 (3) Concurrent with justices of the peace, and exclusive of the  
37 circuit court, in all matters of contract where the amount in controversy does  
38 not exceed the sum of one hundred dollars (\$100), excluding interest;

39 (4) Concurrent with the circuit court in matters of contract where

1 the amount in controversy does not exceed the sum of ~~three thousand dollars~~  
2 ~~(\$3,000)~~ five thousand dollars (\$5,000), excluding interest;

3 (5) Concurrent with the circuit court in actions for the recovery  
4 of personal property where the value of the property does not exceed the sum  
5 of ~~three thousand dollars (\$3,000)~~ five thousand dollars (\$5,000); and

6 (6) Concurrent with the circuit court in matters of damage to  
7 personal property where the amount in controversy does not exceed the sum of  
8 ~~three thousand dollars (\$3,000)~~ five thousand dollars (\$5,000), excluding  
9 interest.

10 (b) Municipal courts shall have jurisdiction to sit as examining  
11 courts, and to commit, discharge, or recognize offenders to the court having  
12 jurisdiction of the trial, and to bind persons to keep the peace or behavior.

13 (c) The jurisdiction of the courts as provided in this subchapter shall  
14 be coextensive with the county. In counties having two (2) judicial districts,  
15 the jurisdiction shall be limited to the district in which the court is  
16 situated."

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18 SECTION 2. Arkansas Code 16-17-602(a)(2) is amended to read as follows:

19 "(2) The small claims division shall have the same jurisdiction over  
20 amounts in controversy as ~~authorized by Arkansas Constitution, Amendment 64~~  
21 provided under Arkansas Code § 16-17-704."

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23 SECTION 3. All provisions of this act of a general and permanent nature  
24 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
25 Revision Commission shall incorporate the same in the Code.

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

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33 SECTION 5. All laws and parts of laws in conflict with this act are  
34 hereby repealed.

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