

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999  
4

*As Engrossed: H2/26/99*

## A Bill

HOUSE BILL 1575

5 By: Representatives Madison, Judy  
6  
7

### For An Act To Be Entitled

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

### Subtitle

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

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
20

21 SECTION 1. No agency, board, commission, or other entity of the State  
22 of Arkansas may charge more than ten cents (\$.10) per page for photo copying  
23 documents which are subject to the Freedom of Information Act of 1967. The  
24 provisions of this act shall not apply to motor vehicle accident reports or  
25 records of traffic violations maintained by local law enforcement agencies.  
26 This section does not apply to cities, counties, school districts, or any  
27 other political subdivision of this state.  
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 Arkansas Code 4-26-1202(9) which is a superseded provision  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 (\$0.10) 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 (\$0.10) 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:

Type of Service	Maximum Charge
Photocopying, per page .....	\$ <del>1.00</del> <u>.10</u>
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 apostilles ..... 10.00

14 (3) For every commission issued to a state officer other than  
15 prosecuting attorneys ..... 15.00

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  
34 .. \$5.00

35 (2) Deeds to 16th section school lands under §22-5-407 ..... 5.00

36 (3) Quitclaim deed of mineral interest under §22-6-502 ..... 5.00

- 1 (4) Issuance of duplicate deeds and patents under §22-6-104 . 5.00
- 2 (5) Issuance of original patents under §22-6-105 ..... 5.00
- 3 (6) Redemption deeds issued under §26-37-310 ..... 5.00
- 4 (7) Issuance of sale deeds ..... 5.00
- 5 (8) Double entry statements ..... 3.00
- 6 (9) Disclaimers ..... 3.00
- 7 (10) For each page of field notes issued by the Office of the
- 8 State Land Commissioner ..... ~~50~~ .10
- 9 (11) A fee of five dollars (\$5.00) plus actual cost for each
- 10 Government Land Office plat copied and distributed."

11

12 SECTION 10. Arkansas Code 21-6-401(c)(3) pertaining to fees charged by

13 the Clerk of the Supreme Court is amended to read as follows:

- 14 "(c) The clerk shall also be allowed:
- 15 (1) For each certificate and seal.....\$ 1.00
  - 16 (2) For acknowledging each deed ..... .50
  - 17 (3) For copies of papers and records per page ..... ~~50~~ .10
  - 18 (4) For enrolling and recording the license of each attorney
  - 19 permitted to practice in the Supreme Court, and the certified transcript
  - 20 thereof furnished the attorney ..... 20.00
  - 21 (5) For other services, the same fees allowed clerks of the
  - 22 circuit court."

23

24 SECTION 11. Arkansas Code 23-37-107(9) pertaining to fees charged by

25 the Securities Commissioner when acting as supervisor of savings and loan

26 associations is amended to read as follows:

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

31

32 SECTION 12. Arkansas Code 23-61-401(14)(A) pertaining to fees charged

33 by the Insurance Commissioner is amended to read as follows:

- 34 "(14) Miscellaneous services:
- 35 (A) For copies of documents and records on file in State
  - 36 Insurance Department, per page.....~~1.00~~ .10"

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36

SECTION 13. Arkansas Code 27-53-210 is amended to read as follows:

"27-53-210. Copies - Fee.

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

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

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

SECTION 14. Eleven (11) provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 15. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 16. All laws and parts of laws in conflict with this act are hereby repealed.

*/s/ Madison, et al*