

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

A Bill

SENATE BILL 16

4
5 By: Senator Webb
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7

For An Act To Be Entitled

8
9 "AN ACT TO AMEND VARIOUS SECTIONS OF THE ARKANSAS CODE
10 TO CHANGE THE NAME OF THE SEVENTH JUDICIAL DISTRICT-
11 NORTH TO THE TWENTY-SECOND JUDICIAL DISTRICT AND THE
12 NAME OF THE SEVENTH JUDICIAL DISTRICT-SOUTH TO THE
13 SEVENTH JUDICIAL DISTRICT; AND FOR OTHER PURPOSES."

Subtitle

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16 "TO CHANGE THE NAME OF THE SEVENTH
17 JUDICIAL DISTRICT-NORTH TO THE TWENTY-
18 SECOND JUDICIAL DISTRICT AND THE NAME OF
19 THE SEVENTH JUDICIAL DISTRICT-SOUTH TO
20 THE SEVENTH JUDICIAL DISTRICT."
21

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

24 SECTION 1. Arkansas Code Annotated § 16-13-3101 is amended to read as
25 follows:

26 "16-13-3101. Composition.

27 (a) Effective ~~January 1, 1999~~ immediately there is created the ~~Seventh~~
28 ~~Judicial District-North~~ Twenty-Second Judicial District which shall be
29 composed of Saline County.

30 (b) Effective ~~January 1, 1999~~ immediately there is created the Seventh
31 Judicial District-~~South~~ composed of Grant and Hot Spring counties."
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33 SECTION 2. Arkansas Code Annotated § 16-13-3102 is amended to read as
34 follows:

35 "16-13-3102. Terms of court.

36 (a) The terms of court in each county in the ~~Seventh Judicial District-~~

1 ~~North~~ Twenty-Second Judicial District shall commence on the third Mondays in
2 March and September.

3 (b) The terms of court in each county in the Seventh Judicial District-
4 ~~South~~ shall commence on the dates set forth below:

5 (1) Grant County: On the fourth Mondays in February and August;

6 (2) Hot Spring County: On the second Mondays in January and
7 July.”

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9 SECTION 3. Arkansas Code Annotated § 16-13-3103 is amended to read as
10 follows:

11 “16-13-3103. Judges and chancellors.

12 (a) The qualified electors of the ~~Seventh Judicial District-North~~
13 Twenty-Second Judicial District shall elect:

14 (1) One (1) Chancery Judge of the First Division;

15 (2) One (1) Circuit-Chancery Judge of the Second Division; and

16 (3) One (1) Circuit-Chancery Judge of the Third Division.

17 (b) The qualified electors of the Seventh Judicial District-~~South~~ shall
18 elect:

19 (1) One (1) Circuit-Chancery Judge of the First Division; and

20 (2) One (1) Circuit-Chancery Judge of the Second Division.

21 (c)(1) The Chancery Judge and Circuit-Chancery Judges of ~~Seventh~~
22 Judicial District-North Twenty-Second Judicial District may, by agreement,
23 hold either of the circuit or chancery courts in their respective districts
24 and may hear and try matters pending in any of those courts or may hear or try
25 matters in the same court at the same time. The judges subject to this
26 subdivision (c)(1) may adopt such rules as they deem appropriate for the
27 assignment of cases in the circuit and chancery courts of their judicial
28 district.

29 (2) The circuit-chancery judges of Seventh Judicial District-
30 ~~South~~ may, by agreement, hold either of the circuit or chancery courts in
31 their respective districts and may hear and try matters pending in any of
32 those courts or may hear or try matters in the same court at the same time.
33 The judges subject to this subdivision (c)(2) may adopt such rules as they
34 deem appropriate for the assignment of cases in the circuit and chancery
35 courts of their judicial district.

36 (d)(1) The Judge of the Second Division in each district shall be the

1 judge of the juvenile division of chancery court. The judge shall serve as
 2 judge of the juvenile division in lieu of the judge who would otherwise be
 3 designated as judge of the juvenile division of chancery court in the judicial
 4 district.

5 (2) The Judge of the Second Division in each district shall
 6 devote such time as may be required to perform the duties of judge of the
 7 juvenile division, which duties shall be the primary obligation of the judge,
 8 and shall sit as judge of the circuit, chancery, or probate court as time
 9 permits."

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 11 SECTION 4. Arkansas Code Annotated § 16-13-3104 is amended to read as
 12 follows:

13 "16-13-3104. Additional circuit-chancery judges.

14 (a) ~~As of January 1, 1999~~ Effective immediately, the Chancery Judge of
 15 the Seventh Judicial District-North is hereby designated as the Chancery Judge
 16 of the ~~Seventh Judicial District-North~~ Twenty-Second Judicial District.

17 (b) At the 1998 general election, the qualified electors of the ~~Seventh~~
 18 ~~Judicial District-North~~ Twenty-Second Judicial District shall elect two (2)
 19 circuit-chancery judges to take office on January 1, 1999.

20 (c) At the 1998 general election, the qualified electors of the Seventh
 21 Judicial District-~~South~~ shall elect two (2) circuit-chancery judges to take
 22 office on January 1, 1999."

23
 24 SECTION 5. Arkansas Code Annotated § 16-13-3105 is amended to read as
 25 follows:

26 "16-13-3105. Court reporters.

27 Each of the chancery and circuit-chancery judges provided for in this
 28 subchapter is authorized to employ a court reporter. The court reporters shall
 29 receive such compensation as is provided by law."

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 31 SECTION 6. Arkansas Code Annotated § 16-13-3106 is amended to read as
 32 follows:

33 "16-13-3106. Bailiffs.

34 (a)(1) The circuit-chancery judges of the ~~Seventh Judicial District-~~
 35 ~~North~~ Twenty-Second Judicial District may each appoint so many court bailiffs
 36 as the quorum courts of the district shall fund.

1 (2) The circuit-chancery judges of the Seventh Judicial District-
 2 ~~South~~ may each appoint so many court bailiffs as the quorum court of the
 3 district shall fund.

4 (b)(1) The duties of the bailiffs shall include their attendance in
 5 their respective courts when court is in session and the supervision and
 6 maintenance of order in their respective courtrooms, providing security for
 7 criminal defendants, juries, and judges, and other incidental and related
 8 duties at the direction of the respective judges.

9 (2) When acting within the scope of their duties as court
 10 bailiffs, the bailiffs shall exercise all the powers of a deputy sheriff,
 11 which shall include the power to make arrests, carry a weapon, and serve
 12 summonses, and may maintain law enforcement certification existing or acquired
 13 during their service as bailiffs.”

14
 15 SECTION 7. Arkansas Code Annotated § 16-13-3107 is amended to read as
 16 follows:

17 “16-13-3107. Prosecuting attorneys.

18 (a) At the 1998 general election the qualified electors of Saline
 19 County shall elect a person who shall serve as the prosecuting attorney for
 20 the ~~Seventh Judicial District-North~~ Twenty-Second Judicial District beginning
 21 January 1, 1999.

22 (b) At the 1998 general election the qualified electors of Hot Spring
 23 and Grant counties shall elect a person who shall serve as the prosecuting
 24 attorney for the Seventh Judicial District-~~South~~ beginning January 1, 1999.”

25
 26 SECTION 8. Subject to review by the Senate Interim Committee on
 27 Judiciary of the Arkansas General Assembly, the Arkansas Code Revision
 28 Commission is authorized and directed to prepare a technical corrections bill
 29 for introduction in the next regular or special session of the Arkansas
 30 General Assembly to make the necessary changes to the Arkansas Code of 1987
 31 Annotated consistent with the provisions of this act. Specifically, in
 32 addition to other necessary changes determined to be consistent with this act
 33 and subject to review by the Senate Interim Committee on Judiciary, the
 34 Arkansas Code Revision Commission shall prepare legislation to change
 35 references to the Seventh Judicial District-North and the Seventh Judicial
 36 District-South, as well as similar and related references used throughout the

1 Arkansas Code of 1987 Annotated to references consistent with the Seventh
2 Judicial District and the Twenty-Second Judicial District, or divisions
3 thereof, for purposes of uniformity and style.

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5 SECTION 9. All provisions of this Act of a general and permanent nature
6 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
7 Revision Commission shall incorporate the same in the Code.

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9 SECTION 10. If any provision of this Act or the application thereof to
10 any person or circumstance is held invalid, such invalidity shall not affect
11 other provisions or applications of the Act which can be given effect without
12 the invalid provision or application, and to this end the provisions of this
13 Act are declared to be severable.

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15 SECTION 11. All laws and parts of laws in conflict with this Act are
16 hereby repealed.

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18 SECTION 12. EMERGENCY CLAUSE. It is hereby found and determined by the
19 Eighty-second General Assembly, that this act is essential to the operation of
20 the criminal justice system within the Seventh and Twenty-Second Judicial
21 Districts, and is necessary to avoid confusion between the two districts.
22 Therefore, an emergency is declared to exist and this act being immediately
23 necessary for the preservation of the public peace, health and safety shall
24 become effective on the date of its approval by the Governor. If the bill is
25 neither approved nor vetoed by the Governor, it shall become effective on the
26 expiration of the period of time during which the Governor may veto the bill.
27 If the bill is vetoed by the Governor and the veto is overridden, it shall
28 become effective on the date the last house overrides the veto.

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