

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005

A Bill

HOUSE BILL 2554

4
5 By: Representative Pate
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For An Act To Be Entitled

9 AN ACT TO FUND AND REINSTATE THE CONSUMER PRICE
10 INDEX INCREASE FOR THE COUNTY AND CITY
11 ADMINISTRATION OF JUSTICE FUNDS; TO INCREASE
12 FILING FEES IN DISTRICT COURTS; AND FOR OTHER
13 PURPOSES.
14

Subtitle

15 AN ACT TO FUND AND REINSTATE THE
16 CONSUMER PRICE INDEX INCREASE FOR THE
17 COUNTY AND CITY ADMINISTRATION OF
18 JUSTICE FUNDS AND TO INCREASE FILING
19 FEES IN DISTRICT COURTS.
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22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code § 16-10-307(c), pertaining to the amount
26 retained in the county administration of justice fund, is amended to read as
27 follows:

28 (c)(1)(A) The county administration of justice fund of each county may
29 retain an amount equal to the amount which was collected by the county from
30 court costs and filing fees for county administration of justice expense in
31 the calendar year ending December 31, 1994, or the amount appropriated from
32 court costs and filing fees by ordinance enacted prior to December 31, 1994,
33 or on February 13, 1995, or on February 14, 1995, or by resolution dated
34 February 9, 1995, for county administration of justice expense from court
35 costs and filing fees for the calendar year ending December 31, 1995, plus,
36 for calendar years 1995 - 2001, an additional amount based upon the average



1 percentage increase in the Consumer Price Index for All Urban Consumers or
 2 its successor, as published by the United States Department of Labor for the
 3 two (2) years immediately preceding.

4 (B)(i) The amount retained during calendar ~~year~~ years
 5 2002, 2003, 2004, and 2005 ~~and each calendar year thereafter~~ shall be the
 6 amount retained during calendar year 2001.

7 (ii) For calendar years beginning 2006 and each
 8 calendar year thereafter, an additional amount shall be added to the amount
 9 to be retained based upon the average percentage increase in the Consumer
 10 Price Index for All Urban Consumers or its successor, as published by the
 11 United States Department of Labor for the two (2) years immediately
 12 preceding.

13 (iii) For calendar years beginning 2006 and each
 14 calendar year thereafter, an additional amount of five percent (5%) shall be
 15 added to the amount to be retained in this subdivision (c)(1)(B) to assist in
 16 payment of the costs of the district court judge and court clerk retirement
 17 systems and for other purposes as appropriated by the quorum court.

18 (C) Notwithstanding the creation of the Arkansas District
 19 Judge Retirement System on January 1, 2005, all local ordinances of the
 20 counties and cities authorized and adopted under § 24-8-318 shall remain in
 21 full force and effect.

22 (2) For the calendar year beginning January 1, 1998, the base
 23 amount to be retained shall be:

24 (A) Increased by any increase in the Consumer Price Index,
 25 as provided for in subdivision (c)(1) of this section; and

26 (B) Decreased by eighty-five percent (85%) of the total
 27 dollar amount which was certified by the county as having been collected
 28 during calendar year 1994 and for the purpose of funding the office and
 29 operation of the public defender and public defender investigator.

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 31 SECTION 2. Arkansas Code § 16-10-308(c), pertaining to the amount
 32 retained in the city administration of justice fund, is amended to read as
 33 follows:

34 (c)(1)(A) The city administration of justice fund of each city may
 35 retain an amount equal to the amount which was collected by the city from
 36 court costs and filing fees for city administration of justice expense in the

1 calendar year ending December 31, 1994, or the amount appropriated from court
 2 costs and filing fees by ordinance enacted prior to December 31, 1994, for
 3 city or county administration of justice expense from court costs and filing
 4 fees for the calendar year ending December 31, 1995, plus, for calendar years
 5 1995 - 2001, an additional amount based upon the average percentage increase
 6 in the Consumer Price Index for All Urban Consumers or its successor, as
 7 published by the United States Department of Labor for the two (2) years
 8 immediately preceding.

9 (B)(i) The amount retained during calendar ~~year~~ years
 10 2002, 2003, 2004, and 2005 and each calendar year thereafter shall be the
 11 amount retained during calendar year 2001.

12 (ii) For calendar years beginning 2006 and each
 13 calendar year thereafter, an additional amount shall be added to the amount
 14 to be retained based upon the average percentage increase in the Consumer
 15 Price Index for All Urban Consumers or its successor, as published by the
 16 United States Department of Labor for the two (2) years immediately
 17 preceding.

18 (iii) For calendar years beginning 2006 and each calendar
 19 year thereafter, an additional amount of five percent (5%) shall be added to
 20 the amount to be retained in this subdivision (c)(1)(B) to assist in payment
 21 of the costs of the district court judge and court clerk retirement systems
 22 and for other purposes as appropriated by the city council.

23 (C) Notwithstanding the creation of the Arkansas District
 24 Judge Retirement System on January 1, 2005, all local ordinances of the
 25 counties and cities authorized and adopted under § 24-8-318 shall remain in
 26 full force and effect.

27 (2) For the calendar year beginning January 1, 1998, the base
 28 amount to be retained shall be:

29 (A) Increased by any increase in the Consumer Price Index,
 30 as provided for in subdivision (c)(1) of this section; and

31 (B) Decreased by eighty-five percent (85%) of the total
 32 dollar amount which was certified by the city as having been collected during
 33 calendar year 1994 for the purpose of funding the office and operation of the
 34 public defender and public defender investigator.

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 36 SECTION 3. Arkansas Code § 16-17-705 is amended to read as follows:

1 16-17-705. Filing fees and costs. [Effective January 1, 2005.]

2 (a)(1) ~~The~~ Effective January 1, 2006, the uniform filing fee to be
3 charged by the clerks of the district courts for initiating a cause of action
4 in ~~municipal~~ district court in this state shall be as prescribed in this
5 section.

6 (2) No portion of the filing fee shall be refunded.

7 (b)(1) For initiating a cause of action in the civil division of
8 district court~~\$35.00~~ \$50.00

9 (2) For initiating a cause of action in the small claims
10 division of district court, if that division is established pursuant to the
11 Arkansas Constitution, Amendment 80, § 7(D)~~\$25.00~~ \$40.00

12 (c) No municipality shall authorize, and no district court clerk shall
13 assess or collect, any other filing fees than those authorized by this act,
14 unless specifically provided by state law.

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