

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
4

As Engrossed: H3/24/05

A Bill

HOUSE BILL 2554

5 By: Representative Pate
6
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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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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 (C) Notwithstanding the creation of the Arkansas District
14 Judge Retirement System on January 1, 2005, all local ordinances of the
15 counties and cities authorized and adopted under § 24-8-318 shall remain in
16 full force and effect.

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

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

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

25
26 SECTION 2. Arkansas Code § 16-10-308(c), pertaining to the amount
27 retained in the city administration of justice fund, is amended to read as
28 follows:

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

1 in the Consumer Price Index for All Urban Consumers or its successor, as
2 published by the United States Department of Labor for the two (2) years
3 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 (C) Notwithstanding the creation of the Arkansas District
14 Judge Retirement System on January 1, 2005, all local ordinances of the
15 counties and cities authorized and adopted under § 24-8-318 shall remain in
16 full force and effect.

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

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

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

25
26 SECTION 3. Arkansas Code § 16-17-705 is amended to read as follows:

27 16-17-705. Filing fees and costs. [Effective January 1, 2005.]

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

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

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

35 (2) For initiating a cause of action in the small claims
36 division of district court, if that division is established pursuant to the

1 Arkansas Constitution, Amendment 80, § 7(D)\$25.00

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

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/s/ Pate