

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: H4/1/05

# A Bill

HOUSE BILL 2628

5 By: Representatives T. Hutchinson, J. Hutchinson, Lamoureux  
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## For An Act To Be Entitled

9 AN ACT TO PROVIDE THAT COUNTIES MAY EMPLOY  
10 DISTRICT COURT JUDGES AS CRIMINAL MAGISTRATES; TO  
11 ALLOW COUNTIES TO COMPENSATE DISTRICT COURT  
12 JUDGES FOR ACTING AS CRIMINAL MAGISTRATES; AND  
13 FOR OTHER PURPOSES.  
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## Subtitle

15 AN ACT TO PROVIDE THAT COUNTIES MAY  
16 EMPLOY DISTRICT COURT JUDGES AS CRIMINAL  
17 MAGISTRATES AND TO ALLOW COUNTIES TO  
18 COMPENSATE DISTRICT COURT JUDGES FOR  
19 ACTING AS CRIMINAL MAGISTRATES.  
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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 Title 16, Chapter 17, Subchapter 1 is amended  
26 to add an additional section to read as follows:

27 16-17-135. Counties authorized to employ and compensate district court  
28 judges as criminal magistrates.

29 (a)(1) A county may employ one (1) or more district court judges to  
30 act as criminal magistrates in accordance with the provisions of Rule 1.8(a)  
31 of the Arkansas Rules of Criminal Procedure or in accordance with per curiam  
32 orders issued by the Arkansas Supreme Court.

33 (2) A district court judge acting as a criminal magistrate may  
34 be authorized to perform any of the duties described in Rule 1.8(b) of the  
35 Arkansas Rules of Criminal Procedure.

36 (b) A county with a population of over one hundred thousand (100,000)



1 persons may compensate a district court judge acting as a criminal magistrate  
2 in excess of his or her salary as a district court judge in an annual amount  
3 not to exceed fifty percent (50%) of the district court judge's maximum  
4 annual salary as set forth in § 16-17-108.

5 (c) A county, city, or town that contributes to the salary of a  
6 district judge may treat the increased payment for magistrate duties as  
7 salary to be calculated for purposes of the Arkansas District Judge  
8 Retirement System.

9 (d) The compensation for a district court judge acting as criminal  
10 magistrate for a circuit court judge shall be set by the county quorum court  
11 by ordinance and may be paid by the county from the county administration of  
12 justice fund or the county general fund as appropriated by ordinance.

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14 /s/ T. Hutchinson, et al  
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