

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

A Bill

HOUSE BILL 1193

5 By: Representatives Speaks, Bentley, Baltz, Jett, Ratliff, Lemons
6

For An Act To Be Entitled

8 AN ACT TO CLARIFY THAT DISTRICT COURT FEES SHALL BE
9 CREDITED TO THE GENERAL FUND OF THE COUNTY; AND FOR
10 OTHER PURPOSES.
11

Subtitle

12
13 TO CLARIFY THAT DISTRICT COURT FEES SHALL
14 BE CREDITED TO THE GENERAL FUND OF THE
15 COUNTY.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 16-17-115 is amended to read as follows:

22 16-17-115. County's, town's, and city's portion of district court
23 expenses – Appropriation. [Effective January 1, 2012.]

24 (a) Except as authorized otherwise, the county ~~wherein~~ in which a
25 district court is held shall pay one-half (1/2) of the salaries of the
26 district court judge and each chief district court clerk of any district
27 court organized in that county under ~~the provisions of~~ § 16-17-901 et seq.,
28 and the quorum court in a county subject to ~~the provisions of~~ § 16-17-901 et
29 seq. ~~shall~~, at its annual meeting, shall make an appropriation of a sum
30 sufficient to pay the county's proportion of the expenses of any such
31 district court. These payments shall be made out of the ~~district court cost~~
32 ~~fund and~~ general revenues of the county.

33 (b)(1)(A) Except as authorized otherwise, the town or city in which a
34 district court is held shall pay:

35 (i) One-half (1/2) of the salaries of the district
36 court judge and the chief district court clerk; and



1 (ii) The operational expenses of the district court
 2 organized in that town or city under ~~the provisions of~~ § 16-17-901 et seq.
 3 unless otherwise agreed to by the political subdivisions ~~which~~ that
 4 contribute to the expenses of the district court.

5 (B) The governing body of the town or city in a town or
 6 city subject to ~~the provisions of~~ § 16-17-901 et seq. shall make at its
 7 annual meeting an appropriation of a sum sufficient to pay the town's or
 8 city's proportion of the salaries and operational expenses of the district
 9 court.

10 (2) These payments shall be made out of the ~~district court cost~~
 11 ~~fund and~~ general revenues of the town or city.

12 (c)(1) Any town or city operating a city court on December 31, 2011,
 13 that becomes a department of a district court shall continue to pay the
 14 amount paid as the base salary of the city court judge to the district court
 15 judge who has assumed the responsibility of attending the former city court.

16 (2) The base salary to be paid to the district court judge under
 17 subdivision (c)(1) of this section in calendar year 2012 and subsequent years
 18 shall be the amount paid by the city or town to the city court judge for the
 19 calendar year 2011.

20 ~~(3) The local salary supplement described in subdivision (c)(1)~~
 21 ~~of this section shall not be used when calculating any retirement benefit in~~
 22 ~~the Arkansas District Judge Retirement System, § 24-8-801 et seq. [Repealed].~~

23 (d)(1) A town or city operating a city court on December 31, 2011,
 24 that becomes a department of district court shall continue to pay the salary
 25 of the district court clerk and provide for the operational expenses of that
 26 department of district court unless otherwise agreed to by the political
 27 subdivisions ~~which~~ that contribute to the expenses of the district court.

28 (2) Subdivision (d)(1) of this section ~~shall~~ does not apply to
 29 any town or city ~~which~~ that has abolished a department of district court
 30 pursuant to state law.

31 (e) A district court operated solely by the county shall have the
 32 salaries and operational expenses of that district court paid solely by the
 33 county unless otherwise agreed to by the political subdivisions ~~which~~ that
 34 contribute to the expenses of the district court.

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 36 SECTION 2. Arkansas Code § 16-17-124 is amended to read as follows:

1 16-17-124. Fee for appeal transcript – Disposition.

2 (a) When required to make a certification of disposition of court
3 proceedings, including without limitation certified copies of the docket,
4 certified copies of civil or small claims judgments, and appeal transcripts,
5 the district court shall collect a fee of not less than five dollars (\$5.00)
6 per case for preparation of the original.

7 (b) All funds derived from the fee shall be paid into the general fund
8 of the treasury of each political subdivision ~~which that~~ contributes to the
9 expenses of the district court based on the percentage of the expenses
10 contributed by the political subdivision to be appropriated for any
11 permissible use in the administration of the district court.

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13 SECTION 3. Arkansas Code § 16-17-126 is amended to read as follows:

14 16-17-126. Fee for filing and issuing writs of garnishment and
15 executions – Disposition.

16 (a)(1) The district court clerk shall collect a fee of ten dollars
17 (\$10.00) for filing or issuing writs of garnishment and executions.

18 (2) This fee is in addition to ~~those~~ fees and costs established
19 by law for specific purposes or ~~where~~ as authorized by the county quorum
20 court or municipality.

21 (b) All funds derived from the fee shall be paid into the general fund
22 of the treasury of each political subdivision ~~which that~~ contributes to the
23 expenses of the district court based on the percentage of the expenses
24 contributed by the political subdivision to be appropriated for any
25 permissible use in the administration of the district court.