

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4

As Engrossed: S4/3/19 H4/5/19

# A Bill

SENATE BILL 658

5 By: Senator Hester  
6

## For An Act To Be Entitled

8 AN ACT CONCERNING CIRCUIT COURT JUDGES AND THE  
9 JUDICIARY; TO PROVIDE FOR ADDITIONAL CIRCUIT  
10 JUDGESHIPS FOR CERTAIN JUDICIAL DISTRICTS; TO PROVIDE  
11 FOR A STUDY CONCERNING THE ALLOCATION OF CIRCUIT  
12 JUDGES STATEWIDE; TO MAKE TECHNICAL CORRECTIONS; TO  
13 DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.  
14

### Subtitle

15 CONCERNING CIRCUIT COURT JUDGES,  
16 PROSECUTING ATTORNEYS, AND THE JUDICIARY;  
17 AND TO DECLARE AN EMERGENCY.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. Arkansas Code § 16-13-1003, concerning the Second Judicial  
25 District, is amended to add an additional subsection to read as follows:

26 (f) There is created in the Second Judicial District an additional  
27 circuit judgeship that shall have jurisdiction in law, equity, probate, and  
28 juvenile matters.  
29

30 SECTION 2. Arkansas Code § 16-13-1203, concerning the Fourth Judicial  
31 District, is amended to add an additional subsection to read as follows:

32 (c) There is created in the Fourth Judicial District an additional  
33 circuit judgeship that shall have jurisdiction in law, equity, probate, and  
34 juvenile matters.  
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36 SECTION 3. Arkansas Code § 16-13-2003, concerning the Twelfth Judicial



1 District, is amended to add an additional subsection to read as follows:

2 (e) There is created in the Twelfth Judicial District an additional  
3 circuit judgeship that shall have jurisdiction in law, equity, probate, and  
4 juvenile matters.

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6 SECTION 4. Arkansas Code § 16-13-2903 is amended to read as follows:  
7 16-13-2903. ~~Election of~~ Circuit court judges.

8 (a) The qualified electors of the Twenty-first Judicial District shall  
9 elect two (2) ~~circuit chancery~~ circuit judges.

10 (b) There is created in the Twenty-first Judicial District a circuit  
11 judgeship in addition to the judgeships created under subsection (a) of this  
12 section that shall have jurisdiction in law, equity, probate, and juvenile  
13 matters.

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15 SECTION 5. Arkansas Code § 16-13-3002, concerning the Nineteenth  
16 Judicial District-West, is amended to add an additional subsection to read as  
17 follows:

18 (i) There is created in the Nineteenth Judicial District-West an  
19 additional circuit judgeship that shall have jurisdiction in law, equity,  
20 probate, and juvenile matters.

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22 SECTION 6. DO NOT CODIFY. Temporary legislation.

23 For the circuit judgeships created in the Second, Fourth, and  
24 Nineteenth-West Judicial Circuits the vacancies shall be filled by election  
25 at the 2020 preferential primary election, with the elected circuit judge to  
26 take office on January 1, 2021.

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28 SECTION 7. DO NOT CODIFY. Temporary legislation.

29 (a) For the circuit judgeships being created in the Twelfth Judicial  
30 Circuit and the Twenty-first Judicial Circuit, the Governor shall appoint  
31 qualified persons who are residents of the judicial districts that are the  
32 subject of this act to temporarily fill the newly created circuit court  
33 judgeships, and each of the appointed persons shall serve until January 1,  
34 2021, or until a successor has been elected and qualified.

35 (b)(1) The qualified electors of the applicable judicial districts  
36 shall elect the additional circuit court judges whose judgeships are created

1 by this act at the 2020 preferential primary election, to take office on  
2 January 1, 2021.

3 (2) The additional circuit court judges shall be elected from  
4 within the judicial district, shall satisfy the same qualifications for  
5 holding office, and shall receive the same salary, expenses, and other  
6 allowances as provided by existing law for judges of the circuit courts.

7 (3) The circuit court judges shall serve for elected terms of  
8 six (6) years.

9 (c) The counties receiving a new circuit court judgeship shall provide  
10 courtroom and office facilities and supplies, which shall be paid for as  
11 provided by law.

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13 *SECTION 8. DO NOT CODIFY. TEMPORARY LANGUAGE.*

14 (a) The House Judiciary Committee and the Senate Judiciary Committee  
15 shall conduct a joint study on the composition of the judicial circuits and  
16 allocation of circuit court judgeships statewide and issue recommendations  
17 concerning the reassignment of judicial circuits and the reapportionment of  
18 circuit court judgeships, if necessary, to the General Assembly for  
19 consideration during the 2021 Regular Session.

20 (b) The recommendations, if any, under this section shall be made no  
21 later than September 1, 2020, in order to be available for potential  
22 budgetary considerations during hearings of the Joint Budget Committee before  
23 the 2021 Regular Session.

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25 *SECTION 9. EMERGENCY CLAUSE. It is found and determined by the*  
26 *General Assembly of the State of Arkansas that certain judicial districts*  
27 *under this act have an immediate need for additional circuit court judges due*  
28 *to the number of cases pending in the judicial district. Therefore, an*  
29 *emergency is declared to exist, and all Sections except Section 2 of this act*  
30 *being necessary for the preservation of the public peace, health, and safety*  
31 *shall become effective on July 1, 2019.*

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34 /s/Hester