

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

HOUSE BILL 1664

5 By: Representative Gazaway
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For An Act To Be Entitled

8 AN ACT TO AMEND ARKANSAS LAW CONCERNING THE
9 MEMBERSHIP OF COUNTY LAW LIBRARY BOARDS; AND FOR
10 OTHER PURPOSES.
11

Subtitle

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14 TO AMEND ARKANSAS LAW CONCERNING THE
15 MEMBERSHIP OF COUNTY LAW LIBRARY BOARDS.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code § 16-23-102 is amended to read as follows:

21 16-23-102. County law library boards.

22 (a)(1) A county law library established pursuant to this chapter shall
23 be under the control of a county law library board of not less than three (3)
24 nor more than five (5) persons, who shall be practicing attorneys residing in
25 the county and who shall be appointed by the county court from attorneys
26 nominated by the county bar association or, in counties where there is no
27 county bar association, by a regional bar association which includes that
28 county.

29 (2) In any county in which there are fewer than three (3)
30 practicing attorneys, the board shall be composed of not less than three (3)
31 nor more than five (5) persons, including the practicing attorney or
32 attorneys in the county together with one (1) or more additional persons who
33 are legal residents and qualified electors of the county, appointed by the
34 county court.

35 ~~(b)(3)~~ Members of the board under this subsection (a) shall be
36 appointed for a term of five (5) years, but the initial appointments shall be



1 so arranged that the terms of each member initially appointed expire in
 2 succeeding years.

3 (4) A vacancy on the board shall be filled in the manner of the
 4 original appointment for the remainder of the term.

5 (b)(1) In addition to the members of the board appointed under
 6 subsection (a) of this section, the following shall be appointed to the board
 7 by the county court:

8 (A) One (1) circuit court judge residing in the county or
 9 presiding over a circuit court in the county; and

10 (B) One (1) district court judge residing in the county or
 11 presiding over a district court in the county.

12 (2) The appointment of a circuit court judge and district court
 13 judge under subdivision (b)(1) of this section:

14 (A) Shall be for a term of two (2) years;

15 (B) Shall begin on the first day of January following a
 16 general election; and

17 (C) May be for consecutive or nonconsecutive terms.

18 (3) A vacancy in an appointment of a circuit court judge or
 19 district court judge under subsection (b)(1) of this section shall be filled
 20 in the manner of the original appointment for the remainder of the term.

21 (c)(1) The board shall have charge of the operation and maintenance of
 22 the county law library and the custody and care of the county law library's
 23 property. The board shall direct the expenditure of funds derived for county
 24 law library purposes under this chapter, and any other funds received by the
 25 county, or the board, for the use of the county law library.

26 (2) Any excess funds in the county law library book fund not
 27 needed for the operation and maintenance of the county law library may be
 28 expended by the board for any other purpose necessary for improvement in the
 29 administration of justice in the county.

30 (3)(A) The board may dispose of any personal property of the
 31 county law library it determines is junk, scrap, discarded, or otherwise of
 32 no value to the county law library.

33 (B) The board may dispose of the personal property under
 34 subdivision (c)(3)(A) of this section by methods that include without
 35 limitation private sale, public sale, gift, or destruction.

36 (d)(1) The board, subject to approval of the county court, is

1 authorized, in implementation of the purposes of this chapter, to enter into
 2 agreements with any person, including other public bodies, in this state
 3 pertaining to the operation and maintenance of a county law library.

4 (2) Without limiting the generality of the foregoing, agreements
 5 entered into pursuant to the provisions hereof may contain provisions:

6 (A) Making available to any institution of higher learning
 7 the county law library, and related facilities, and the books, volumes,
 8 treatises, pamphlets, and other educational materials located therein;

9 (B) Authorizing the institution to maintain, locate, and
 10 relocate in the county law library, select, replace, supervise the use of,
 11 buy, sell, lend, borrow, receive bequests and donations of, and otherwise
 12 deal in and contract concerning, such books, volumes, treatises, pamphlets,
 13 and other educational materials; and

14 (C) Providing for the operation, maintenance, and
 15 supervision of the county law library and related facilities for the benefit
 16 of the institution, the county, judges and attorneys, and the public.

17 (3) The agreements may make available to the institution all or
 18 a portion of the collections of the costs levied pursuant to the provisions
 19 of this chapter, for the purpose of performing the obligations of the
 20 institution thereunder.

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 22 SECTION 2. DO NOT CODIFY. IMPLEMENTATION OF ADDITIONAL MEMBERS OF
 23 COUNTY LAW LIBRARY BOARDS. (a) Within thirty (30) days of the effective
 24 date of this act, the county court shall make initial appointments to a
 25 county law library board under § 16-23-102(b).

26 (b) The initial appointments under subsection (a) of this section
 27 shall expire on the first day of January following the next general election.

28 (c) Subsequent appointments under § 16-23-102(b) shall be for a term
 29 of two (2) years.