

State of Arkansas As Engrossed: H2/18/25 H3/5/25

95th General Assembly

## A Bill

Regular Session, 2025

HOUSE BILL 1178

By: Representative R. Scott Richardson

By: Senator D. Wallace

### For An Act To Be Entitled

CONCERNING MUNICIPAL ORDINANCE VIOLATIONS; TO AMEND  
THE LAW CONCERNING THE CONTRACTING OF A MUNICIPAL  
ATTORNEY; TO AMEND THE LAW CONCERNING SUMS COLLECTED  
BY DISTRICT COURTS; TO AMEND THE LAW CONCERNING COST  
SHARING FOR DISTRICT COURT EXPENSES; TO ENSURE THE  
APPROPRIATE DISTRIBUTION OF SUMS COLLECTED BY THE  
DISTRICT COURT; AND FOR OTHER PURPOSES.

### Subtitle

TO AMEND THE LAW CONCERNING THE  
CONTRACTING OF A MUNICIPAL ATTORNEY; TO  
AMEND THE LAW CONCERNING SUMS COLLECTED  
BY DISTRICT COURTS; AND TO AMEND THE LAW  
CONCERNING COST SHARING FOR DISTRICT  
COURT EXPENSES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. DO NOT CODIFY. Legislative intent.

The General Assembly intends this act to:

(1) Clarify the law concerning the collection and distribution  
of sums collected by a district court; and

(2) Provide a mechanism for cities and incorporated towns that  
do not operate a district court and do not have a police department to  
receive the appropriate distribution of sums collected by the district court  
to ensure remediation.



1       SECTION 2. Arkansas Code § 14-42-112(a), concerning municipal  
2 attorneys for cities of the second class and incorporated towns, is amended  
3 to add an additional subdivision to read as follows:

4       (3)(A) A city of the second class or an incorporated town that chooses  
5 not to have an office of the municipal attorney may contract with an attorney  
6 for legal representation.

7       (B) An attorney contracted for legal representation under  
8 this section to represent the city in proceedings related to ordinance  
9 violations shall be compensated for his or her work on ordinance violation  
10 cases in an amount not to exceed fifty percent (50%) of the prorated sums  
11 collected by the district court and distributed to the municipality as  
12 provided in § 16-17-1203.

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14       SECTION 3. Arkansas Code § 16-17-707 is amended to read as follows:

15       16-17-707. Separate accounting records of fines, etc. – Disbursements.

16       (a) The district court clerk shall keep three (3) separate accounting  
17 records of all fines, penalties, forfeitures, fees, and costs received by him  
18 or her for any of the officers of the town, city, or county, as provided in  
19 this subchapter:

20       (1) The first class of accounting records shall embrace all sums  
21 collected in the district court in:

22       (A) ~~all~~ All nontraffic cases which are misdemeanors or  
23 violations of the ~~town or city~~ ordinances of a town or city in the district  
24 where the arresting or citing officer was a law enforcement officer or code  
25 enforcement officer employed by the town or city; and

26       (B) ~~all~~ All cases which are misdemeanors or violations  
27 under state law or traffic offenses which are misdemeanors or violations  
28 under state law or town or city ordinance committed within the corporate  
29 limits of the town or city where the court sits, where the arresting officer  
30 was a police officer or other officer of the town or city, a Division of  
31 Arkansas State Police officer or other certified law enforcement officer of  
32 the state, or an officer of a private or public college or university located  
33 within the corporate limits of the town or city where the court sits;

34       (2) The second class of accounting records shall embrace all  
35 sums collected in the district court in all nontraffic cases which are  
36 misdemeanors or violations of county ordinances or are misdemeanors or

1 violations of any of the laws of the state where the arresting officer was  
2 the county sheriff or a deputy sheriff or was not a police officer or other  
3 officer of ~~the~~ a town or city where the court sits in the district, and the  
4 offense was committed outside the corporate limits of the town or city where  
5 the court sits, and in all other criminal or traffic proceedings not  
6 specifically enumerated in this section; and

7 (3)(A) The third class of accounting records shall embrace all  
8 sums collected in the district court in all civil and small claims cases.

9 (B) The uniform filing fee collected under § 16-17-705  
10 shall be remitted to the city administration of justice fund.

11 (C) The uniform court costs collected under § 16-10-305  
12 shall be remitted to the city administration of justice fund.

13 (D) All other fees and interest earned on the court  
14 account shall be disbursed to the treasurers of the political subdivisions  
15 which contribute to the expense of the district court in accordance with a  
16 written agreement among the political subdivisions.

17 (b)(1)(A) After deducting the fees due the police department and  
18 marshal's office and sheriff's office, the district court shall pay into ~~the~~  
19 each town or city treasury all sums collected from the first class of  
20 accounting records for that town or city.

21 (B) The district court shall pay all sums collected from  
22 the second class of accounting records into the county treasury.

23 (2) Any district court that is funded solely by the county shall  
24 pay all sums collected from the first or second class of accounting records  
25 into the county treasury and shall pay all uniform filing fees and court  
26 costs collected into the county administration of justice fund.

27 (3) A town or city that ~~has a police department and~~ does not  
28 operate a district court shall receive only the prorated sums collected as  
29 provided in § 16-17-1203.

30 (4) Direct monetary settlements shall be made with state  
31 entities or agencies as provided by law.

32 (c) All disbursements from all three (3) classes of accounting records  
33 shall be pursuant to the provisions set forth in the Arkansas District Courts  
34 Accounting Law, § 16-10-201 et seq.

35  
36 SECTION 4. Arkansas Code § 16-17-1203(a)(1), concerning the procedure

1 for cost sharing for expenses of a district court, is amended to read as  
2 follows:

3 (a)(1)(A) Any town or city that ~~has a police department but~~ does not  
4 have a district court may contribute to the operational expenses of the  
5 nearest district court in the county where the town or city is located  
6 pursuant to a written agreement.

7 (B) A written agreement is mandatory and is to be entered into  
8 between the governing body of the town or city where the district court sits  
9 and the governing bodies of the political subdivisions that contribute to the  
10 operational expenses of the district court.

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12 /s/R. Scott Richardson  
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