Stricken language would be deleted from and underlined language would be added to present law. Act 371 of the Regular Session

1	State of Arkansas		
2	95th General Assembly	A Bill	
3	Regular Session, 2025		HOUSE BILL 1661
4			
5	By: Representative Dalby		
6	By: Senator A. Clark		
7			
8		For An Act To Be Entitled	
9	AN ACT TO A	AMEND THE LAWS CONCERNING STATE DIST	RICT
10	COURTS; TO	ELIMINATE THE OBLIGATION OF CITIES	AND
11	COUNTIES TO	O PAY THE SALARIES OF STATE DISTRICT	COURT
12	JUDGES; TO	AMEND THE LAWS CONCERNING DISTRICT	COURT
13	CLERKS; ANI	O FOR OTHER PURPOSES.	
14			
15			
16		Subtitle	
17	TO AM	END THE LAWS CONCERNING STATE	
18	DISTR	ICT COURTS; TO ELIMINATE THE	
19	OBLIG	ATION OF CITIES AND COUNTIES TO PAY	
20	THE S.	ALARIES OF STATE DISTRICT COURT	
21	JUDGE	S; AND TO AMEND THE LAWS CONCERNING	
22	DISTR	ICT COURT CLERKS.	
23			
24	BE IT ENACTED BY THE GR	ENERAL ASSEMBLY OF THE STATE OF ARKA	NSAS:
25			
26	SECTION 1. DO NO	OT CODIFY. Legislative findings and	intent.
27	(a) The General	Assembly finds that:	
28	(1) Arkans	sas Constitution, Amendment 80 veste	d the judicial
29	power of the State of A	Arkansas in the judicial department;	-
30	(2) Arkans	sas Constitution, Amendment 94 veste	d the power to
31	determine the salaries	of state officers, including distri	ct court judges,
32	with the independent ci	itizens commission and the salaries	are paid from the
33	Constitutional Officers	s Fund, Arkansas Code § 19-5-205;	
34	(3) Arkans	sas Constitution, Amendment 94 and A	rkansas Code § 19-
35	5-205 further establish	ned that district court judges are s	<u>tate-elected</u>
36	officials under the Ark	kansas Constitution that render stat	<u>e judicial</u>

1	services;
2	(4) Arkansas Constitution, Amendment 94, Arkansas Code § 16-17-
3	1104, Acts 2007, No. 663, Acts 2009, No. 345, and Acts 2011, No. 1219 further
4	directed that the state district court judges have their salaries set by the
5	independent citizens commission to be paid out of the Constitutional Officers
6	Fund, Arkansas Code § 19-5-205;
7	(5) In Cotham v. Coffman, 111 Ark. 108 (1914), the Supreme Court
8	established that state funds should be used for state purposes;
9	(6) In Honorable v. Hyde, 2024 Ark. 114, the Supreme Court
10	established that state funds should be used for state purposes; and
11	(7) Over the past quarter of a century the state has
12	transitioned from hundreds of part-time local municipal court, city court,
13	and district court judges to, commencing January 1, 2025, seventy (70) full-
14	time state district court judges resulting from a consolidation of these
15	courts into a unified state system of district courts.
16	(b) The General Assembly intends this act to:
17	(1) Eliminate the obligation of cities and counties to pay for
18	the salaries of state district court judges in Arkansas; and
19	(2) Provide for the efficient administration of justice.
20	
21	SECTION 2. Arkansas Code § 16-10-209(5)(F)(iii), concerning the
22	collection of installment payments, is repealed.
23	(iii) A municipal or county governing body that
24	adopted municipal or county legislation before July 1, 2012, to provide an
25	alternative method of installment payment allocation as then authorized by
26	state law shall remain in effect until repealed; and
27	
28	SECTION 3. Arkansas Code § 16-10-307 is amended to read as follows:
29	(a) There is hereby created in each county a fund in the office of the
30	county treasurer to be known as the "county administration of justice fund".
31	(b) The county administration of justice fund shall be used to defray
32	a part of the expenses of the administration of justice in the county. From
33	the county administration of justice fund, the county shall continue to
34	finance the following county agencies and programs and district court costs
35	which are currently funded, in whole or in part, by filing fees and court
36	costs, at a funding level equal to not less than the greater of the amount

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     which was collected by the county from filing fees and court costs for the
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     agency or program in the calendar year ending December 31, 1994, or the
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     amount appropriated by ordinance enacted prior to December 31, 1994, or on
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     February 13, 1995, or on February 14, 1995, or by resolution dated February
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     9, 1995, to the agency or program for the calendar year ending December 31,
 6
     <del>1995</del>:
 7
                 (1) The prosecuting attorney fund, including all grant funds
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     awarded and appropriated for the calendar year ending December 31, 1995;
 9
                      The prosecuting attorney's victim-witness program fund;
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                      The public defender/indigent defense fund and public
     defender investigator fund, including all grant funds awarded and
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12
     appropriated for the calendar year ending December 31, 1995;
13
                 (4) The county law library book fund;
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                 (5) The county jail fund; and
15
                 (6) The intoxication detection equipment fund;
                 (7) Operating costs of the district court:
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                 (8) Cost-sharing agreements related to the operation of the
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     district court; and
                 (9) Any other necessary costs associated with the administration
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     of justice in the county.
21
           (c)(1)(A)(i) The For funds collected in circuit court matters, the
22
     county administration of justice fund of each county may retain an amount
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     equal to the amount which was collected by the county from court costs and
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     filing fees for county administration of justice expense in the calendar year
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     ending December 31, 1994, or the amount appropriated from court costs and
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     filing fees by ordinance enacted prior to December 31, 1994, or on February
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     13, 1995, or on February 14, 1995, or by resolution dated February 9, 1995,
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     for county administration of justice expense from court costs and filing fees
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     for the calendar year ending December 31, 1995, plus, for calendar years 1995
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     - 2001, an additional amount based upon the average percentage increase in
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     the Consumer Price Index for All Urban Consumers or its successor, as
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     published by the United States Department of Labor for the two (2) years
33
     immediately preceding.
34
                             (ii) For funds collected in district court matters,
35
     the county administration of justice fund may retain an amount equal to but
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     no more than fifty percent (50%) of uniform court costs and filing fees that
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l <u>are collected.</u>

- 2 (B)(i) The amount retained during calendar years 2002,
- 3 2003, 2004, and 2005 shall be the amount retained during calendar year 2001.
- 4 (ii) Except as provided in subdivision
- 5 (c)(1)(B)(iii) of this section, for calendar years beginning 2014 and each
- 6 calendar year thereafter, an additional amount shall be added to the amount
- 7 to be retained based upon the lesser of the average percentage increase in
- 8 the Consumer Price Index for All Urban Consumers or its successor, as
- 9 published by the United States Department of Labor, for the two (2) years
- 10 immediately preceding or the percentage rate of increase in collections of
- 11 the State Administration of Justice Fund for the two (2) years immediately
- 12 preceding.
- 13 (iii) The provisions of subdivision (c)(1)(B)(ii) of
- 14 this section shall not be effective if the Chief Fiscal Officer of the State
- 15 determines that the additional amount retained under subdivision
- 16 (c)(1)(B)(ii) of this section has exceeded one million dollars (\$1,000,000)
- 17 in a calendar year and any additional amount to be retained must be
- 18 authorized by the General Assembly.
- 19 (C) All local ordinances of the counties and cities
- 20 authorized and adopted under § 24-8-318 shall remain in full force and
- 21 effect.
- 22 (2) For the calendar year beginning January 1, 1998, the base
- 23 amount to be retained shall be:
- 24 (A) Increased by any increase in the Consumer Price Index
- 25 for All Urban Consumers as provided for in subdivision (c)(1) of this
- 26 section; and
- 27 (B) Decreased by eighty-five percent (85%) of the total
- 28 dollar amount which was certified by the county as having been collected
- 29 during calendar year 1994 and for the purpose of funding the office and
- 30 operation of the public defender and public defender investigator.
- 31 (d) Nothing in this section shall prevent the county from funding any
- 32 additional costs for the administration of justice from these or other county
- 33 funds.
- 34 (e) The county shall remit on or before the fifteenth day of each
- 35 month all sums received in circuit court matters in excess of the amounts
- 36 necessary to fund the expenses enumerated in subsections (b) and (c) of this

- l section during the previous month from the uniform filing fees provided for
- 2 in \S 21-6-403 and 9-15-202, and the uniform court costs provided for in \S
- $3\,$ 16--10--305 to the Administration of Justice Funds Section for deposit into the
- 4 State Administration of Justice Fund.
- 5 (f) The county shall remit on or before the fifteenth day of each
- 6 month fifty percent (50%) of the moneys collected in district court matters
- 7 during the previous month from the uniform filing fees provided for in §16-
- 8 17-705 and the uniform court costs provided for in § 16-10-305 to the
- 9 Administration of Justice Funds Section for deposit into the State
- 10 Administration of Justice Fund.

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- 12 SECTION 4. Arkansas Code § 16-10-308 is amended to read as follows:
- 13 16-10-308. City administration of justice fund.
- (a)(1) There is hereby created in each town or city which operates a district court a fund in the office of the city treasurer to be known as the "city administration of justice fund".
- 17 (2)(A) A town or city operating a city court that becomes a 18 department of district court shall continue to maintain the city 19 administration of justice fund as originally established by this section.
 - (B) The city administration of justice fund of any town or city shall cease to exist on and after the effective date of the ordinance that abolishes the department of district court for that town or city pursuant to state law.
 - (b) The city administration of justice fund shall be used to defray a part of the expense of the administration of justice in the town or city.

 From the city administration of justice fund, the town or city shall continue to finance the following town or city agencies and programs and district court costs which are currently funded, in whole or in part, by filing fees and court costs, at a funding level equal to not less than the greater of the amount which was collected by the town or city from court costs and filing.
- 30 amount which was collected by the town or city from court costs and filing
- 31 fees for the agency or program in the calendar year ending December 31, 1994,
- 32 or the amount appropriated by ordinance enacted prior to December 31, 1994,
- 33 to the agency or program for the calendar year ending December 31, 1995:
- 34 (1) The municipal court judge and clerk retirement fund for disbursement as otherwise provided by law;
- 36 (2) The police and fire pension fund;

1 (3) The intoxication detection equipment fund; 2 (4) All municipal-level programs and agencies funded in whole or 3 in part by court costs and filing fees assessed and collected by the district 4 court, notwithstanding the repeal by this act of laws authorizing the 5 collection of court costs and filing fees; and 6 (5) All county-level programs and agencies funded in whole or in 7 part by court costs and filing fees assessed and collected by the district 8 court, notwithstanding the repeal by this act of laws authorizing the 9 collection of court costs and filing fees and the disbursement of all or a 10 part thereof to the county; (6) Operating costs of the district court; 11 12 (7) Cost-sharing agreements related to the operation of the 13 district court; and 14 (8) Any other necessary costs associated with the administration 15 of justice in the city or town. 16 (c)(1)(A) The city administration of justice fund of each town or city 17 may retain an amount equal to the amount which was collected by the town or 18 eity from court costs and filing fees for city administration of justice 19 expense in the calendar year ending December 31, 1994, or the amount 20 appropriated from court costs and filing fees by ordinance enacted prior to 21 December 31, 1994, for city or county administration of justice expense from 22 court costs and filing fees for the calendar year ending December 31, 1995, 23 plus, for calendar years 1995-2001, an additional amount based upon the 24 average percentage increase in the Consumer Price Index for All Urban 25 Consumers or its successor, as published by the United States Department of 26 Labor for the two (2) years immediately preceding but no more than fifty 27 percent (50%) of uniform court costs and filing fees that are collected. 28 (B)(i) The amount retained during calendar years 2002, 2003, 2004, and 2005 shall be the amount retained during calendar year 2001. 29 30 (ii) Except as provided in subdivision (c)(1)(B)(iii) of this section, for calendar years beginning 2014 and each 31 32 calendar year thereafter, an additional amount shall be added to the amount to be retained based upon the lesser of the average percentage increase in 33 the Consumer Price Index for All Urban Consumers or its successor, as 34 published by the United States Department of Labor, for the two (2) years 35 36 immediately preceding or the percentage rate of increase in collections of

1 the State Administration of Justice Fund for the two (2) years immediately 2 preceding. 3 (iii) The provisions of subdivision (c)(1)(B)(ii) of 4 this section shall not be effective if the Chief Fiscal Officer of the State 5 determines that the additional amount retained under subdivision 6 (c)(1)(B)(ii) of this section has exceeded one million dollars (\$1,000,000) 7 in a calendar year, and any additional amount to be retained must be 8 authorized by the General Assembly. 9 (C) All local ordinances of the counties and cities 10 authorized and adopted under § 24-8-318 shall remain in full force and effect. 11 12 (2) For the calendar year beginning January 1, 1998, the base 13 amount to be retained shall be: 14 (A) Increased by any increase in the Consumer Price Index 15 for All Urban Consumers as provided for in subdivision (c)(1) of this 16 section; and 17 (B) Decreased by eighty-five percent (85%) of the total 18 dollar amount which was certified by the town or city as having been 19 collected during calendar year 1994 for the purpose of funding the office and 20 operation of the public defender and public defender investigator. 21 Nothing in this act shall prevent the town or city from funding 22 any additional costs for the administration of justice from other town or 23 city funds. 24 (e) The town or city shall remit, on or before the fifteenth day of 25 each month, all sums received in excess of the amounts necessary to fund the expenses enumerated in subsections (b) and (c) of this section fifty percent 26 27 (50%) of the moneys collected during the previous month from the uniform 28 filing fees provided for in §16-17-705 and the uniform court costs provided 29 for in § 16-10-305 to the Administration of Justice Funds Section for deposit into the State Administration of Justice Fund. 30 31 32 SECTION 5. Arkansas Code § 16-10-602 is amended to read as follows: 16-10-602. Establishment of city and county shares. 33 (a) Pursuant to §§§ 16-10-307(c) and 16-10-308(c), each town, city, 34

and a county may retain a portion of the uniform court costs and filing fees

collected and deposited into the city or county administration of justice

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- (b) On or before the first day of October of each year, the Department of Finance and Administration shall certify in writing to each county and to each town or city which operates a district court the amount of money which may be retained during each month of the following calendar year by the town, eity, or county.
- (c) Each town, city, or county which operates a district court, may retain a portion of the uniform court costs and filing fees collected in district court matters and deposited into the city administration of justice fund or county administration of justice fund.
- (d) The amount of money which may be retained from district court matters shall be fifty percent (50%) of the uniform court costs and filing fees collected during each month by the town, city, or county.

- SECTION 6. Arkansas Code § 16-10-603(b), concerning the procedure for county administration of justice funds, is amended to read as follows:
- (b) From the county administration of justice fund, the county treasurer is to make, on a monthly basis, the following fund transfers or disbursements:
 - (1)(A) Pursuant to § 16-10-307(c), the Department of Finance and Administration will certify for each county the county's monthly share of uniform court costs and filing fees to be retained by the county in circuit court matters.
 - (B)(i) Each year the quorum court shall establish the amount of uniform filing fees and court costs to be appropriated to each of the county programs or agencies enumerated in $\S 16-10-307(b)$ from the county's share of uniform court costs and filing fees.

(ii) Each program or agency shall receive, as a minimum, the amount established by § 16-10-307(b); and

- (2) The excess of the monthly receipts of uniform filing fees and court costs into the fund from subdivisions (a)(2)(A) and (B) of this section, less the county's certified monthly share and the county treasurer's commission, if any, as authorized by § 21-6-302, shall be remitted to the Department of Finance and Administration, pursuant to § 16-10-307(e); and
- 35 (3) Fifty percent (50%) of the monthly receipts of uniform

 36 filing fees and court costs into the fund from subdivisions (a)(2)(C) and (D)

1	of this section, shall be remitted to the department pursuant to § 16-10-
2	<u>307(e)</u> .
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4	SECTION 7. Arkansas Code § 16-10-604(b)-(d), concerning the procedure
5	for city administration of justice funds, is amended to read as follows:
6	(b) From the city administration of justice fund, the following fund
7	transfers or disbursements shall be made on a monthly basis:
8	(1)(A) Pursuant to § 16-10-308(c), the Department of Finance and
9	Administration will certify for each town or city the town's or city's
10	monthly share of uniform court costs and filing fees to be retained by the
11	town or city Each town's or city's share shall be an amount equal to fifty
12	percent (50%) of the uniform court costs and filing fees collected during
13	each month by the town or city.
14	(B)(i) Each year the town or city council shall establish
15	the amount of uniform filing fees and court costs to be appropriated to each
16	of the town or city programs or agencies enumerated in § $16-10-308$ (b) from
17	the town's or city's share of uniform court costs and filing fees.
18	(ii) Each program or agency shall receive, as a
19	minimum, the amount established by § 16-10-308(b).
20	(C) Each program or agency shall be paid, by warrant or
21	fund transfer, a monthly installment of at least one-twelfth (1/12) of the
22	annual appropriation provided for each by the town or city council;
23	(2)(A) Pursuant to \S 16-10-308(b)(5), the town or city shall
24	remit to the county treasurer for deposit into the county administration of
25	justice fund a portion of the town's or city's share of uniform court costs
26	and filing fees.
27	(B) The amount of the remittance shall be based upon $\frac{1}{2}$
28	amount, if any, of uniform court costs and filing fees which had been
29	remitted by the town or city to common agreement of the town or city and the
30	county and shall be used by the county to fund county-level programs and
31	agencies during the base year defined in § 16-10-308(b). and
32	(C) By common agreement, towns, cities, and counties may
33	establish a different fixed dollar amount or percentage of the town's or
34	city's monthly share of filing fees and court costs which shall be remitted
35	to the county treasurer;
36	(3) For the calendar year beginning January 1, 1998, the amount

- l of the remittance shall be based upon the amount, if any, of uniform court
- 2 costs and filing fees which had been remitted by the town or city to fund
- 3 county-level programs and agencies during the base year defined in § 16-10-
- 4 308(b), less eighty-five percent (85%) of the total dollar amount which was
- 5 certified by the town or city as having been collected during calendar year
- 6 1994 for the purpose of funding the office and operation of the public
- 7 defender and public defender investigator; and
- 8 (4) The excess of the monthly receipts into the fund, less the
- 9 town's or city's certified monthly share, Fifty percent (50%) of the uniform
- 10 court costs and filing fees collected during each month by the town or city
- 11 shall be remitted to the department Administration of Justice Fund Section in
- 12 the Department of Finance and Administration, pursuant to $\underline{\text{under}}$ § 16-10-
- 13 308(e).
- (c)(1) If a district court is operated solely by a county rather than
- 15 a town or city and all of the uniform court costs and filing fees collected
- 16 by the court are remitted to the county, the town or city shall not be
- 17 required to create a city administration of justice fund.
- 18 (2) The town's or city's share of uniform court costs and filing
- 19 fees shall be remitted directly to the county treasurer for deposit into the
- 20 county administration of justice fund.
- 21 (d)(1)(A) For any district court which was created after January 1,
- 22 1994, such that the base year used to calculate the town's or city's share
- 23 pursuant to § 16-10-308 was not complete, the town or city share shall be
- 24 deemed to be fifty percent (50%) of the uniform court costs and filing fees
- 25 collected and remitted to the city administration of justice fund.
- 26 (B) District courts created pursuant to § 16-17-901 et
- 27~ seq. shall not be considered for purposes of this section to have been
- 28 created after January 1, 1994, or to have a base year that is not complete if
- 29 $\,$ the district court is merely a continuation of a district or city court that
- 30 was in existence on December 31, 2007, or December 31, 2011.
- 31 (C) From the fifty-percent share described in subdivision
- 32 (d)(1)(A) of this section, the town or city shall disburse or transfer fifty
- 33 percent (50%) of the funds to the local programs or agencies pursuant to
- 34 subdivision (b)(1) of this section and fifty percent (50%) to the county
- 35 treasurer pursuant to subdivision (b)(2) of this section.
- 36 (2) The remaining fifty percent (50%) shall be remitted to the

1 Department of Finance and Administration, pursuant to § 16-10-308(e). 2 3 SECTION 8. Arkansas Code § 16-13-704 is amended to read as follows: 16-13-704. Installment payments - Definition. 4 5 (a)(1) If the court concludes that the defendant has the ability to 6 pay the fine, but that requiring the defendant to make immediate payment in 7 full would cause a severe and undue hardship for the defendant and the 8 defendant's dependents, the court may authorize payment of the fine by means 9 of installment payments in accordance with this subchapter. 10 (2)(A) When a court authorizes payment of a fine by means of installment payments, it shall issue, without a separate disclosure hearing, 11 12 an order that the fine be paid in full by a date certain and that in default 13 of payment, the defendant must appear in court to explain the failure to pay. 14 In fixing the date of payment, the court shall issue 15 an order which will complete payment of the fine as promptly as possible 16 without creating a severe and undue hardship for the defendant and the 17 defendant's dependents. 18 (3) When a person is authorized to pay a fine on an installment 19 basis, any court cost assessed under § 9-15-202(d) or § 16-10-305(h) shall be 20 collected from the initial installment payment first. 21 (b)(1)(A) In addition to the fine and any other assessments authorized 22 by this subchapter, an installment fee of five dollars (\$5.00) per month 23 shall be assessed on each person who is authorized to pay a fine on an 24 installment basis. 25 This fee shall be collected in full each month in (B) 26 which a defendant makes an installment payment. 27 This fee shall accrue each month that a defendant does 28 not make an installment payment and the fine has not been paid in full. 29 (2)(A)(i) One-half (1/2) of the installment fee collected in

(2)(A)(i) One-half (½) of the installment fee collected in circuit court shall be remitted by the tenth day of each month to the Administration of Justice Funds Section of the Office of Administrative Services of the Department of Finance and Administration, on a form provided by that office the Office of Administrative Services, for deposit into the Judicial Fine Collection Enhancement Fund established by § 16-13-712.

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(ii) The other half of the installment fee shall be remitted by the tenth day of each month to the county treasurer to be

- deposited into a fund entitled the "circuit court automation fund" to be used solely for circuit court-related technology.
- (B)(i) Expenditures from the circuit court automation fund shall be approved by the administrative circuit judge of each judicial circuit and shall be authorized and paid under the state laws governing the appropriation and payment of county expenditures.
- 7 (ii) Expenditures may be made for indirect expenses 8 related to implementation of new court-related technology, including overtime 9 pay, personnel or travel expenses, and technology-related supplies.
- 10 (iii) Funds in each county in a judicial district may
 11 be pooled for expenditure pursuant to a circuit-wide technology plan approved
 12 by the administrative circuit judge.

- (3)(A) One-half $(\frac{1}{2})$ of the installment fee collected in district court shall be remitted by the tenth day of each month to the Administration of Justice Funds Section, on a form provided by that section, for deposit into the Judicial Fine Collection Enhancement Fund established by § 16-13-712.
- (B) The other half of the installment fee collected in district court shall be remitted by the tenth day of each month to the city treasurer of the city in which the district court is located to be deposited into a fund entitled the "district court automation fund" to be used solely for district court-related technology and court security-related expenditures.
- (C) In any district court which is funded solely by the county, the other half of this fee shall be remitted by the tenth day of each month to the county treasurer of the county in which the district court is located to be deposited into the district court automation fund to be used solely for district court-related technology and court security-related expenditures.
- (D)(i) Expenditures from the district court automation fund shall be approved by a district judge and shall be authorized and paid under state laws governing the appropriation and payment of county or municipal expenditures by the governing body or, if applicable, governing bodies, that contribute to the expenses of a district court.
- 35 (ii) Expenditures may be made for indirect expenses
 36 related to implementation of new court-related technology, including overtime

1	pay, personnel or travel expenses, and technology-related supplies.
2	(iii)(a) Expenditures may be made for indirect
3	expenses related to the hiring and training of court security officers,
4	including travel expenses related to the training of court security officers.
5	(b) Expenditures do not include salary,
6	benefits, or overtime pay for court security officers.
7	(E)(i) In circuit court only, an installment fee of an
8	additional five dollars (\$5.00) per month shall also be assessed on the first
9	day of each month on each person who is ordered to pay a fine on an
10	installment basis with the additional five dollars ($\$5.00$) to be remitted to
11	the collecting official to be used to defray the cost of fine collection.
12	(ii) In district court only, an installment fee of
13	an additional five dollars (\$5.00) per month shall also be assessed on the
14	first day of each month on each person who is ordered to pay a fine on an
15	installment basis with the additional five dollars ($\$5.00$) to be remitted by
16	the tenth day of each month to the Administration of Justice Funds Section on
17	a form provided by that section for deposit into the State Administration of
18	Justice Fund.
19	(c)(1) For cases filed on or after January 1, 2026, in district court
20	only, the fee authorized in subdivision (b)(l)(A) of this section shall be
21	five dollars (\$5.00) and the fee authorized in subdivision (b)(3)(E)(ii)
22	of this section shall be two dollars and fifty cents (\$2.50).
23	(2) The installment fees shall be assessed and collected until
24	the defendant has paid ninety dollars (\$90.00) in installment fees or the
25	total assessment owed by the defendant has been paid, whichever occurs first.
26	(3) When the defendant has paid ninety dollars (\$90.00) in
27	installment fees on his or her respective assessment, no more installment
28	fees shall be assessed or collected.
29	(4) If a defendant is ordered to pay a new fine, the ninety-
30	dollar installment fee cap shall not carry over or prevent a new assessment
31	of a monthly installment payment fee.
32	(5) If a defendant is making an installment payment in more than
33	one (1) department of a district court, the fees authorized in this
34	subsection shall be assessed and collected by each department.
35	(d) By September 1 of each year:
36	(1) The county treasurer shall submit electronically or in

1 writing a report disclosing the balance of the circuit court automation fund 2 to the Administrative Office of the Courts, the Department of Finance and 3 Administration, the county judge of each county in the judicial circuit, and 4 each circuit judge of the judicial circuit; 5 (2) The city treasurer of the city in which a department of a 6 district court is located shall submit electronically or in writing a report 7 disclosing the balance of the district court automation fund to the 8 Administrative Office of the Courts, the Department of Finance and 9 Administration, the county judge of each county in the judicial district, the 10 mayor of each city contributing to the operating expenses of the department of the district court, and each district judge of the judicial district; and 11 12 (3) The county treasurer shall submit electronically or in 13 writing a report disclosing the balance of the district court automation fund 14 to the Administrative Office of the Courts, the Department of Finance and 15 Administration, the county judge of each county in the judicial district, the 16 mayor of each city contributing to the operating expenses of the department 17 of the district court, and each district judge of the judicial district. 18 (e) (e) Any defendant who has been authorized by the court to pay a 19 fine by installments shall be considered to have irrevocably appointed the 20 clerk of the court as his or her agent upon whom all papers affecting his or 21 her liability may be served, and the clerk shall forthwith notify the 22 defendant thereof by ordinary mail at his or her last known address. 23 (d)(f) "Ability to pay" means that the resources of the defendant, 24 including all available income and resources, are sufficient to pay the fine 25 and provide the defendant and his or her dependents with a reasonable 26 subsistence compatible with health and decency. 27 (g) Unless extended or repealed, the authority to assess and collect 28 the installment fee authorized in subdivision (b)(1)(A) of this section for 29 cases filed in district court and the installment fee authorized in 30 subdivision (b)(3)(E)(ii) of this section shall expire on December 31, 2031. 31 32 SECTION 9. Arkansas Code § 16-17-121 is amended to read as follows: 33 16-17-121. Salary increases - Factors to consider. 34 (a) In the event the General Assembly establishes a district court 35 cost fund to be used exclusively for the operation and expenses of the

district court, any district court judge's, clerk's, or other employee's

```
1
    salary authorized by § 16-17-108 may be increased from the minimum salary
 2
    upward to any amount not exceeding the maximum salary authorized in § 16-17-
     108 and may be paid from the fund as set forth hereafter.
3
 4
           (b) The city council or the county quorum court, or both, if
5
    authorized, of the local governmental jurisdictions responsible for paying
6
    the salaries of the district court judge, clerks, and other employees may
7
    authorize salary increases for the various court personnel as authorized
8
    above after considering the following factors:
9
                    The amount and availability of funds in the district court
                 (1)
    cost fund;
10
                 (2) The volume of caseload;
11
12
                 (3) The backlog of cases, if any, on the court docket;
                 (4) The time required in dealing with cases; and
13
14
                     The skill required in dealing with cases; and
                 (5)
                 (6) The amount of time taken away from the judge's private
15
16
    practice, if applicable.
17
18
           SECTION 10. Arkansas Code Title 16, Chapter 17, Subchapter 9, is
19
    repealed.
          16-17-901. Definitions.
20
21
          As used in this subchapter, unless the context otherwise requires:
22
                 (1) "Department" means the physical location where sessions of
23
    district court are held; and
24
                 (2) "Division" means the subject matter division of the district
25
    court.
26
27
          16-17-902. Counties having one district court.
          (a) Each of the following counties shall have one (1) district court
28
29
    and one (1) district judge:
30
                 (1) Howard;
31
                 (2) Montgomery;
32
                 (3) Perry:
                 (4) Polk;
33
                 (5) Randolph;
34
                 (6) Scott:
35
36
                 (7) Sevier: and
```

```
1
                (8) Stone.
 2
          (b) The district court shall be located in the county seat of each
    county listed in subsection (a) of this section.
3
 4
           (c)(1) The judge of any district court located in a county with one
5
    (1) district court shall be elected countywide.
 6
                (2) If there is only one (1) district court in a county, it
7
    shall have countywide jurisdiction.
8
9
          16-17-907. Clay County District Court.
10
          (a)(1) Clay County shall have one (1) district court with three (3)
11
    departments:
12
                      (A) One (1) located in Corning;
                      (B) One (1) located in Piggott; and
13
14
                      (C) One (1) located in Rector.
                (2) All three (3) departments are to be served by one (1) judge.
15
          (b) The Clay County District Court Judge shall be elected countywide.
16
17
          (c) The Clay County District Court shall have countywide jurisdiction.
18
19
          16-17-914. Lonoke County District Courts.
20
          (a) Lonoke County, having two (2) judicial districts, shall have the
    following district courts and judges:
21
22
                (1)(A) The Northern District of Lonoke County shall have one (1)
23
    district court, with three (3) departments:
24
                            (i) One (1) located in Cabot:
                            (ii) One (1) located in Ward: and
25
26
                             (iii) One (1) located in Austin.
27
                      (B) All three (3) departments are to be served by one (1)
28
    district judge; and
                (2)(A) The Southern District of Lonoke County shall have one (1)
29
30
    district court with five (5) departments as follows:
                            (i) One (1) located in Lonoke;
31
32
                            (ii) One (1) located in England;
33
                            (iii) One (1) located in Carlisle;
34
                            (iv) One (1) located in Allport; and
                            (v) One (1) located in Humnoke.
35
                      (B) All five (5) departments are to be served by one (1)
36
```

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1
    judge.
 2
           (b) The district court boundaries in Lonoke County shall be as
 3
     follows:
 4
                 (1) The Northern District of Lonoke County shall consist of the
 5
    townships of Butler, Caroline, Cleveland, Eagle, Goodrum, Magness, Oak Grove,
 6
    Prairie, Totten, Ward, and York; and
 7
                 (2) The Southern District of Lonoke County shall consist of the
8
    townships of Carlisle, Crooked Creek, Dortch, Fletcher, Furlow, Cum Woods,
    Gray, Hamilton, Indian Bayou, Isbell, Lafayette, Lonoke, Pettus, Richwoods,
9
10
    Pulaski, Scott, Williams, and Walls.
           (c) The judge of any district court in Lonoke County shall be elected
11
12
    by the qualified electors of the judicial district in which the court is
13
    located.
14
           (d) The jurisdiction of each district court in Lonoke County shall be
    limited to the judicial district in which the court is located.
15
16
17
           16-17-916. Ouachita County District Courts.
18
           (a) Quachita County shall have the following district courts and
19
    <del>judges:</del>
20
                 (1) Camden shall have:
21
                       (A) One (1) district court; and
22
                       (B) One (1) judge; and
                 (2)(A) East Camden shall have one (1) district court with four
23
24
    (4) departments:
25
                             (i) One (1) located in Bearden;
26
                             (ii) One (1) located in Chidester:
27
                             (iii) One (1) located in East Camden; and
                             (iv) One (1) located in Stephens.
28
                       (B) All four (4) departments are to be served by one (1)
29
    judge.
30
          (b)(1) The judge of the Camden District Court shall be elected
31
32
    countywide.
33
                 (2) The Camden District Court shall have countywide
34
    jurisdiction.
           (c)(1) The judge of the East Camden District Court shall be elected
35
36
    countywide.
```

1	(2) The East Camden District Court shall have countywide
2	jurisdiction.
3	
4	16-17-922. Yell County District Courts.
5	(a)(1) Yell County, having two (2) judicial districts, shall have two
6	(2) district courts with one (1) department located in the Northern District.
7	(2) The two (2) judicial districts shall each have one (1) part-
8	time judge serviced by the one (1) department in the Northern District.
9	(b) The judge of each district court in Yell County shall have
10	jurisdiction within each respective Northern and Southern District.
11	(c) The judge shall be elected within each respective district.
12	
13	16-17-925. Sharp County District Court.
14	(a)(1) Sharp County shall have one (1) district court with two (2)
15	departments:
16	(A) One (1) located in Ash Flat; and
17	(B) One (1) located in Cherokee Village.
18	(2) Both departments are to be served by (1) judge.
19	(b) The Sharp County District Court Judge shall be elected countywide.
20	(c) The Sharp County District Court shall have countywide
21	jurisdiction.
22	
23	16-17-926. Woodruff County District Court.
24	(a)(1) Woodruff County shall have one (1) district court with four (4)
25	departments:
26	(A) One (1) located in Augusta;
27	(B) One (1) located in Cotton Plant;
28	(C) One (1) located in McCrory; and
29	(D) One (1) located in Patterson.
30	(2) All four (4) departments are to be served by one (1) judge.
31	(b) The Woodruff County District Court Judge shall be elected
32	countywide.
33	(c) The Woodruff County District Court shall have countywide
34	jurisdiction.
35	
36	16-17-928. Lawrence County District Court.

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(a)(1) Lawrence County shall have one (1) district court with four (4)
 1
    departments:
 2
3
                       (A) One (1) located in Walnut Ridge;
 4
                       (B) One (1) located in Hoxie;
 5
                       (C) One (1) located in Black Rock; and
 6
                       (D) One (1) located in Portia.
 7
                (2) All four (4) departments are to be served by one (1) judge.
          (b) The Lawrence County District Court Judge shall be elected
8
9
    countywide.
10
          (c) The Lawrence County District Court shall have countywide
     jurisdiction.
11
12
          16-17-933. Franklin County District Courts.
13
14
          (a) Franklin County, having two (2) judicial districts, shall have the
15
    following district courts and judges:
16
                (1) The Charleston District shall have:
                       (A) One (1) district court located in Charleston; and
17
18
                       (B) One (1) district judge; and
19
                (2)(A) The Ozark District shall have one (1) district court with
20
    two (2) departments:
21
                             (i) One (1) located in Ozark; and
22
                             (ii) One (1) located in Altus.
                       (B) Both departments are to be served by one (1) district
23
24
    judge.
          (b) The judge of any district court located in Franklin County shall
25
    be elected by the electors of the judicial district in which the court is
26
27
    located.
          (c) In Franklin County, the jurisdiction of the district court shall
28
    be limited to the judicial district in which the court is located.
29
30
          16-17-935. Logan County District Courts.
31
           (a) Logan County, having two (2) judicial districts, shall have the
32
33
    following district courts and judges:
                (1) The Northern District shall have:
34
                       (A) One (1) district court located in Paris; and
35
36
                       (B) One (1) district judge; and
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1
                 (2)(A) The Southern District shall have one (1) district court
 2
    with two (2) departments:
3
                             (i) One (1) located in Booneville; and
 4
                             (ii) One (1) located in Magazine.
 5
                       (B) Both departments are to be served by one (1) district
 6
    judge.
7
          (b) The judge of any district court located in Logan County shall be
8
    elected by the electors of the judicial district in which the court is
9
    located.
10
          (c) In Logan County, the jurisdiction of the district court shall be
    limited to the judicial district in which the court is located.
11
12
          16-17-938. Columbia County District Court.
13
14
          (a)(1) Columbia County shall have one (1) district court with two (2)
15
    departments:
16
                       (A) One (1) located in Magnolia; and
17
                       (B) One (1) located in Waldo.
18
                 (2) Both departments are to be served by one (1) judge.
19
          (b) The Columbia County District Court Judge shall be elected
20
    countywide.
21
          (c) The Columbia County District Court shall have countywide
22
    jurisdiction.
23
          16-17-939. Conway County District Court.
24
25
          (a)(1) Conway County shall have one (1) district court with four (4)
26
    departments:
27
                       (A) One (1) located in Morrilton;
                       (B) One (1) located in Menifee;
28
                       (C) One (1) located in Oppelo; and
29
                       (D) One (1) located in Plumerville.
30
                 (2) All four (4) departments are to be served by one (1) judge.
31
32
          (b) The Conway County District Court Judge shall be elected
33
    countywide.
34
          (c) The Conway County District Court shall have countywide
35
    iurisdiction.
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1
          16-17-941. Cross County District Court.
 2
          (a)(1) Cross County shall have one (1) district court with three (3)
 3
    departments:
 4
                       (A) One (1) located in Wynne;
 5
                       (B) One (1) located in Cherry Valley; and
 6
                       (C) One (1) located in Parkin.
 7
                (2) All three (3) departments are to be served by one (1) judge.
8
          (b) The Cross County District Court Judge shall be elected countywide.
9
          (c) The Cross County District Court shall have countywide
10
    jurisdiction.
11
12
           16-17-944. Fulton County District Court.
          (a)(1) Fulton County shall have one (1) district court with two (2)
13
14
    departments:
                       (A) One (1) located in Salem; and
15
                       (B) One (1) located in Mammoth Spring.
16
17
                (2) Both departments are to be served by one (1) judge.
          (b) The Fulton County District Court Judge shall be elected
18
19
    countywide.
20
          (c) The Fulton County District Court shall have countywide
21
    iurisdiction.
22
23
          16-17-946. Izard County District Court.
24
          (a)(1) Izard County shall have one (1) district court with two (2)
25
    departments:
26
                       (A) One (1) located in Melbourne; and
                       (B) One (1) located in Horseshoe Bend.
27
                (2) Both departments are to be served by one (1) judge.
28
           (b) The Izard County District Court Judge shall be elected countywide.
29
30
          (c) The Izard County District Court shall have countywide
    jurisdiction.
31
32
33
          16-17-947. Jackson County District Court.
34
          (a)(1) Jackson County shall have one (1) district court with four (4)
35
    departments:
36
                       (A) One (1) located in Newport;
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1
                       (B) One (1) located in Diaz;
 2
                       (C) One (1) located in Swifton; and
 3
                       (D) One (1) located in Tuckerman.
 4
                (2) All four (4) departments are to be served by one (1) judge.
 5
          (b) The Jackson County District Court Judge shall be elected
 6
    countywide.
 7
          (c) The Jackson County District Court shall have countywide
8
    jurisdiction.
9
10
          16-17-948. Johnson County District Court.
          (a)(1) Johnson County shall have one (1) district court with three (3)
11
12
    departments:
13
                       (A) One (1) located in Clarksville;
14
                       (B) One (1) located in Lamar; and
                       (C) One (1) located in Coal Hill.
15
                (2) All three (3) departments are to be served by one (1) judge.
16
17
          (b) The Johnson County District Court Judge shall be elected
18
    countywide.
19
          (c) The Johnson County District Court shall have countywide
20
    iurisdiction.
21
22
          16-17-951. Little River County District Court.
          (a)(1) Little River County shall have one (1) district court with
23
    three (3) departments:
24
25
                       (A) One (1) located in Ashdown:
26
                       (B) One (1) located in Foreman; and
27
                       (C) One (1) located in Winthrop.
28
                (2) All departments are to be served by one (1) judge.
          (b) The Little River County District Court Judge shall be elected
29
30
    countywide.
31
          (c) The Little River County District Court shall have countywide
32
    iurisdiction.
33
34
          16-17-953. Pike County District Court.
          (a)(1) Pike County shall have one (1) district court with two (2)
35
36
    departments:
```

1	(A) One (1) located in Murfreesboro; and
2	(B) One (1) located in Glenwood.
3	(2) Both departments are to be served by one (1) judge.
4	(b) The Pike County District Court Judge shall be elected countywide.
5	(c) The Pike County District Court shall have countywide jurisdiction.
6	
7	SECTION 11. Arkansas Code § 16-17-1104 is amended to read as follows:
8	16-17-1104. State district court judges — Salaries.
9	(a) The judges who are appointed or elected to serve the courts
10	created under this subchapter are state district court judges.
11	(b) The state shall pay the salary and benefits of a state district
12	court judge.
13	(c) The salaries of the state district court judges are uniform and
14	shall be paid with moneys appropriated from the Constitutional Officers Fund,
15	§ 19-5-205, by the General Assembly.
16	
17	SECTION 12. Arkansas Code §§ 16-17-1106 and 16-17-1107 are repealed.
18	16-17-1106. Salary of state district court judges - Cost-sharing.
19	(a) The state shall pay the salary and benefits of state district
20	court judges created under this subchapter.
21	(b)(1)(A) Each county and town or city in a district in which a state
22	district court judgeship is created under this subchapter shall pay to the
23	state an amount equal to its proportionate share of one-half (1/2) of the base
24	salary established by law for state fiscal year 2009 for that district's
25	state district court judge.
26	(B)(i) The proportionate share is calculated as follows:
27	(a) Determine the sum total of the base salary
28	paid by each county and town or city in a district to that county and town or
29	city's district court judge or city court judge for the calendar year
30	immediately preceding the creation of the state district court judgeship; and
31	(b) Determine the proportion of the base
32	salary of each county and town or city to the sum total base salary of the
33	district.
34	(ii) Each county and town or city shall pay to the
35	state its proportionate share as determined in subdivision (b)(1)(B)(i)(a) of
36	this section of one-half (1) of the base salary established by law for state

1 fiscal year 2009 for each state district court judge in the district at the 2 time the county and town or city had a state district court judgeship created. 3 4 (C) On a form provided by the Administration of Justice 5 Funds Section, each county and town or city in a district shall certify 6 annually on or before October 31 the amount to be paid to the state for its share of one-half (1/2) of the salary as determined in this section for that 7 8 district's state district court judge. 9 (2)(A) This section does not prohibit a county and town or city 10 in a district in which a state district court judgeship is created under this subchapter from agreeing in writing on the amount to be paid to the state by 11 12 the county and the town or city for its proportionate share of one-half (1/5) of the salary as determined in this section for that district's state 13 14 district court judge. 15 (B) If a written agreement is reached under subdivision (b)(2)(A) of this section, the county and town or city shall submit on or 16 17 before October 31 a copy of that written agreement to the Administration of 18 Justice Funds Section. 19 (c) The amount of the state district court judge's salary initially 20 paid by the county and the town or city in a district and annually afterwards 21 shall be the amount determined under subsection (b) of this section. 22 (d)(1) Beginning with its annual meeting of 2011, the quorum court in 23 each county in a district in which a state district court judgeship is 24 created under this subchapter and the council in each town or city in a 25 district in which a state district court judgeship is created under this 26 subchapter shall appropriate annually from its general revenues an amount 27 sufficient to pay its share of the state district court judgeship salary 28 allocated to it under subsection (b) of this section. (2) The duty under subdivision (d)(1) of this section may be 29 30 enforced in a court of competent jurisdiction. (e) On or before December 15, 2011, and annually afterwards, the 31 32 Administration of Justice Funds Section shall certify to the county and the 33 town or city in each district the amount of its share of one half (%) of the 34 base salary established under subsection (b) of this section. (f) On or before January 15, 2012, and annually afterwards, the county 35

and the town or city shall remit to the Administration of Justice Funds

I	Section for deposit into the Constitutional Officers Fund the sum necessary
2	to fund its share of the base salary allocated to it under subsection (e) of
3	this section.
4	
5	16-17-1107. Salary of judges serving city or county.
6	This subchapter shall not in any way limit the power and authority of
7	local district courts currently existing. Except for the state district court
8	judgeships created under this subchapter, a judge serving in another full-
9	time or part-time local district court position shall continue to be an
10	employee of the cities or counties, or both, that he or she serves and shall
11	be paid according to state law.
12	
13	SECTION 13. Arkansas Code § 21-6-416(b) and (c), concerning the court
14	technology fee, are amended to read as follows:
15	(b) The court technology fee is as follows:
16	(1) For all civil actions and misdemeanors filed in either the
17	Supreme Court or the Court of Appeals \$15.00
18	(2) For initiating a cause of action in the civil, domestic
19	relations, or probate division of circuit court, including
20	appeals 15.00
21	(3) For initiating a cause of action in the civil or small
22	claims division of district court 15.00
23	(4) For all criminal and traffic cases, from each defendant upon
24	each conviction, each plea of guilty or nolo contendere, or each bond
25	<u>forfeiture 15.00</u> .
26	(c)(1) The fee provided under subdivision (b)(1) of this section
27	collected in the Supreme Court or the Court of Appeals shall be remitted by
28	the Clerk of the Supreme Court on or before the fifteenth day of each month
29	to the Administration of Justice Funds Section on a form provided by the
30	Office of Administrative Services for deposit into the Judicial Fine
31	Collection Enhancement Fund established by § 16-13-712.
32	(2) The fee provided under subdivisions $\frac{(b)(2)}{(b)(2)}$
33	(4) of this section collected in circuit court or district court shall be
34	remitted by the county or city official, agency, or department designated
35	under § 16-13-709 as primarily responsible for the collection of fines
36	assessed in circuit court or district court on or before the fifteenth day of

1	each month to the section, on a form provided by the office, for deposit into
2	the Judicial Fine Collection Enhancement Fund established by § 16-13-712.
3	
4	
5	APPROVED: 3/20/25
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