

1 State of Arkansas As Engrossed: H2/18/25 H3/5/25 H4/1/25

2 95th General Assembly

# A Bill

3 Regular Session, 2025

HOUSE BILL 1178

4

5 By: Representative R. Scott Richardson

6 By: Senator D. Wallace

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## For An Act To Be Entitled

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

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## Subtitle

19 TO AMEND THE LAW CONCERNING THE  
20 CONTRACTING OF A MUNICIPAL ATTORNEY; TO  
21 AMEND THE LAW CONCERNING SUMS COLLECTED  
22 BY DISTRICT COURTS; AND TO AMEND THE LAW  
23 CONCERNING COST SHARING FOR DISTRICT  
24 COURT EXPENSES.

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

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28 SECTION 1. DO NOT CODIFY. Legislative intent.

29 The General Assembly intends this act to:

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

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

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

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

9           16-17-707. Separate accounting records of fines, etc. – Disbursements.

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

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

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

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

28          (2) The second class of accounting records shall embrace all  
29 sums collected in the district court in all nontraffic cases which are  
30 misdemeanors or violations of county ordinances or are misdemeanors or  
31 violations of any of the laws of the state where the arresting officer was  
32 the county sheriff or a deputy sheriff or was not a police officer or other  
33 officer of ~~the a~~ a town or city where the court sits in the district, and the  
34 offense was committed outside the corporate limits of the town or city where  
35 the court sits, and in all other criminal or traffic proceedings not  
36 specifically enumerated in this section; and

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

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

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

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

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

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

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

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

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

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

29  
30 SECTION 4. Arkansas Code § 16-17-1203(a)(1), concerning the procedure  
31 for cost sharing for expenses of a district court, is amended to read as  
32 follows:

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

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

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6   /s/R. Scott Richardson  
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9   **APPROVED: 4/22/25**  
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