

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas
2 94th General Assembly
3 Third Extraordinary Session, 2024
4

A Bill

DRAFT JLC/CLJ
HOUSE BILL

5 By: Representatives Fortner, Wardlaw
6

For An Act To Be Entitled

8 AN ACT CONCERNING JUDICIAL OFFICERS; TO REPEAL
9 INCONSISTENT STATUTES CONCERNING JUDICIAL OFFICERS IN
10 INDIVIDUAL JUDICIAL DISTRICTS; AND FOR OTHER
11 PURPOSES.
12
13

Subtitle

14 CONCERNING JUDICIAL OFFICERS; AND TO
15 REPEAL INCONSISTENT STATUTES CONCERNING
16 JUDICIAL OFFICERS IN INDIVIDUAL JUDICIAL
17 DISTRICTS.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. Arkansas Code § 16-13-1412 is repealed.

24 ~~16-13-1412. Circuit court probation officers.~~

25 ~~(a) The circuit judges of the First and Fifth Divisions of the Sixth~~
26 ~~Judicial District may appoint a chief probation officer and a deputy~~
27 ~~probation officer.~~

28 ~~(b)(1) The duties of the chief probation officer shall include the~~
29 ~~supervision of all persons on probation, the investigation of all matters~~
30 ~~referred to him or her by the court relating to the granting of suspended~~
31 ~~sentences, and the investigation of any other matters that may be referred to~~
32 ~~him or her by the court.~~

33 ~~(2) The deputy probation officer shall perform all duties~~
34 ~~delegated to him or her by the chief probation officer, and all those~~
35 ~~referred to him or her by the court.~~

36 ~~(3) The chief probation officer and the deputy probation~~

1 officer, in the performance of their duties, may exercise all the powers of a
 2 deputy sheriff, which powers shall include the powers to make arrests, carry
 3 weapons, and serve summonses.

4 (c)(1) The salary of the chief probation officer shall be twenty five
 5 thousand dollars (\$25,000) per calendar year, which salary shall be paid by
 6 Pulaski County.

7 (2) The salary of the deputy probation officer shall be twenty-
 8 three thousand five hundred dollars (\$23,500) per calendar year, which salary
 9 shall be paid by Pulaski County.

10 (3) Any probation officer funded through or by the Board of
 11 Corrections is specifically excluded from the provisions of this section.

12 (d) Nothing in the provisions of this section shall be construed to
 13 repeal or modify the laws now in effect relating to the duties of the State
 14 Parole Officer.

15 (e)(1) The salaries of the chief probation officer and coordinator
 16 probation officers set by this section and by county ordinance shall be
 17 amended to provide for an increase of the minimum salaries of four percent
 18 (4%) as of July 10, 1987; and another increase of four percent (4%) beginning
 19 December 26, 1987; and another increase of four percent (4%) beginning
 20 December 24, 1988, unless a higher salary is provided by any other
 21 legislative act or county ordinance.

22 (2) All of the salaries shall be paid by Pulaski County. All of
 23 the salaries shall be paid biweekly by Pulaski County.

24 (3) When the county quorum court raises salaries for county
 25 employees, it shall also raise salaries an equivalent amount for the
 26 employees provided for in this subsection.

27 (4) The employees covered by this subsection shall be treated by
 28 Pulaski County in the same manner as other Pulaski County employees for all
 29 other purposes.

30
 31 SECTION 2. Arkansas Code § 16-13-1413 is repealed.

32 ~~16-13-1413. Court bailiffs.~~

33 (a)(1)(A) The circuit judges of the Sixth Judicial District may each
 34 appoint one (1) court bailiff.

35 (B) If a circuit judge hears criminal cases, one (1)
 36 assistant court bailiff may also be appointed.

1 ~~(2) The chancery judges of the Sixth Judicial District may each~~
2 ~~appoint one (1) court bailiff.~~

3 ~~(3) The circuit chancery judges of the Sixth Judicial District~~
4 ~~may each appoint one (1) court bailiff.~~

5 ~~(b)(1) The duties of the bailiffs shall include their attendance in~~
6 ~~their respective courts when court is in session and the supervision and~~
7 ~~maintenance of order in their respective courtrooms, providing security for~~
8 ~~individuals involved in court proceedings, officers of the court, and judges,~~
9 ~~and other incidental and related duties at the direction of the judges.~~

10 ~~(2) The bailiffs shall exercise all the powers of a deputy~~
11 ~~sheriff, including the power to make arrests, carry a weapon, and serve~~
12 ~~summonses, and shall be certified law enforcement officers.~~

13 ~~(3) The circuit chancery judges may appoint at least one (1)~~
14 ~~probation officer to serve as assistant bailiff.~~

15 ~~(c) The bailiffs and assistant bailiffs of each of the courts shall~~
16 ~~receive a salary as set by the Pulaski County Quorum Court.~~

17 ~~(d)(1) When the quorum court raises salaries for county employees, it~~
18 ~~shall also raise salaries an equivalent amount for the above employees.~~

19 ~~(2) Those employees covered by this section shall be treated by~~
20 ~~Pulaski County in the same manner as other Pulaski County employees for all~~
21 ~~other purposes.~~

22
23 SECTION 3. Arkansas Code § 16-13-2607 is repealed.

24 ~~16-13-2607. Bailiffs.~~

25 ~~(a) The circuit, chancery, and circuit chancery judges of the~~
26 ~~Eighteenth Judicial District—East may each appoint one (1) court bailiff~~
27 ~~and, by concurrence of a majority of the judges in the judicial district, two~~
28 ~~(2) at large bailiffs to serve as circumstances warrant.~~

29 ~~(b)(1) The duties of the bailiffs shall include:~~

30 ~~(A) The supervision and maintenance of order in the~~
31 ~~courtroom;~~

32 ~~(B) Providing security for the judges, officers of the~~
33 ~~court, jurors, and other individuals involved in court proceedings;~~

34 ~~(C) Administering oaths; and~~

35 ~~(D) Other related duties as assigned by the judges.~~

36 ~~(2) When acting within the scope of their duties, the bailiffs~~

1 shall exercise all the powers necessary and proper to perform their duties,
 2 including the powers of a deputy sheriff and the power to make arrests, carry
 3 a weapon, and serve summons.

4 (3) The bailiffs shall have and maintain law enforcement
 5 certification as is necessary to fully perform the functions of their office.

6 (c)(1)(A) The compensation package of the bailiffs shall be determined
 7 by the Garland County Quorum Court.

8 (B) If the quorum court raises salary benefits for county
 9 employees, it shall also raise salary or benefits an equivalent amount for
 10 the bailiffs.

11 (2) Any other employment or salary considerations will be
 12 governed by Garland County's Job Evaluation Salary Administration Program.

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 14 SECTION 4. Arkansas Code § 16-13-2704 is repealed.

15 ~~16-13-2704. Bailiffs.~~

16 (a) The circuit, chancery, and circuit chancery judges of the
 17 Nineteenth Judicial District may each appoint one (1) court bailiff.

18 (b)(1) The duties of the bailiffs shall include the supervision and
 19 maintenance of order in their respective courtrooms, providing security for
 20 the judges, officers of the court, jurors, and other individuals involved in
 21 court proceedings, administering oaths, and other incidental and related
 22 duties at the direction of the respective judges.

23 (2) When acting within the scope of their duties, the court
 24 bailiffs shall exercise all the powers necessary and proper to the
 25 performance of their duties, including the powers of a deputy sheriff and the
 26 power to make arrests, carry a weapon, and serve a summons.

27 (3) A bailiff may maintain law enforcement certification
 28 existing or acquired during his or her service as bailiff.

29 (c) The pay of the bailiffs shall be determined by the quorum courts.

30
 31 SECTION 5. Arkansas Code § 16-13-3106 is repealed.

32 ~~16-13-3106. Bailiffs.~~

33 (a)(1) The circuit chancery judges of the Twenty-second Judicial
 34 District may each appoint so many court bailiffs as the quorum courts of the
 35 district shall fund.

36 (2) The circuit chancery judges of the Seventh Judicial District

1 ~~may each appoint so many court bailiffs as the quorum court of the district~~
2 ~~shall fund.~~

3 ~~(b)(1) The duties of the bailiffs shall include:~~

4 ~~(A) Their attendance in their respective courts when court~~
5 ~~is in session and the supervision and maintenance of order in their~~
6 ~~respective courtrooms;~~

7 ~~(B) Providing security for criminal defendants, juries,~~
8 ~~and judges; and~~

9 ~~(C) Other incidental and related duties at the direction~~
10 ~~of the respective judges.~~

11 ~~(2) When acting within the scope of their duties as court~~
12 ~~bailiffs, the bailiffs shall exercise all the powers of a deputy sheriff,~~
13 ~~which shall include the power to make arrests, carry a weapon, and serve~~
14 ~~summonses, and may maintain law enforcement certification existing or~~
15 ~~acquired during their service as bailiffs.~~

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