

State of Arkansas  
76th General Assembly  
Regular Session, 1987  
By: Representative Mahony

HOUSE BILL 1888

"AN ACT TO PROVIDE THAT WHEN ANY TWO OR MORE CITIES OR TOWNS IN THE SAME COUNTY IN THIS STATE ESTABLISH A MUNICIPAL COURT, SUCH CITIES AND/OR TOWNS MAY ENTER INTO AN AGREEMENT WHEREBY THE JUDGE OF THE MUNICIPAL COURT ELECTED TO SERVE THE MUNICIPAL COURT OF ONE OF SUCH AGREEING CITIES OR TOWNS MAY SERVE AS THE JUDGE OF THE MUNICIPAL COURT ESTABLISHED IN OTHER AGREEING CITIES OR TOWNS; TO AUTHORIZE TWO OR MORE CITIES AND/OR TOWNS IN A COUNTY TO ENTER INTO AGREEMENTS WHEREBY THE QUALIFIED ELECTORS OF ALL AGREEING CITIES OR TOWNS WILL ELECT A SINGLE MUNICIPAL JUDGE TO PRESIDE OVER THE MUNICIPAL COURT OF EACH OF THE AGREEING CITIES AND/OR TOWNS; TO PRESCRIBE THE MANNER OF DETERMINING THE COMPENSATION OF A MUNICIPAL JUDGE SERVING THE MUNICIPAL COURT OF TWO OR MORE MUNICIPALITIES; AND FOR OTHER PURPOSES."

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

SECTION 1. Any two (2) or more cities and/or incorporated towns within the same county in this State, may enter into agreements whereby the judge of the municipal court elected to serve the municipal court of one of said cities or towns may serve as the judge of the municipal court established in each of the other agreeing cities and/or towns. Provided, however, nothing in this Act shall be construed to apply to any city and/or incorporated town within a county having a population in excess of two hundred thousand (200,000).

SECTION 2. When any two (2) or more cities and/or incorporated towns in the same county enter into agreements whereby a single judge will serve as judge of the municipal court of each of said agreeing cities and/or towns, such cities and/or towns may also agree that said judge shall be elected by

the combined electors of the respective cities and/or towns entering into the agreement. In the event said cities and/or towns agree that the judge shall be selected by the combined electors of the respective agreeing cities or towns, the judge so elected shall be a resident of the county but need not be a resident of either of the cities or towns entering into said agreement. Persons desiring to be a candidate for the office of municipal judge to serve two or more cities and/or towns shall run for office by filing for election as municipal judge in each of the respective cities entering into agreements as authorized herein. The results of the election shall be certified by the County Board of Election Commissioners, and the judge receiving the highest number of combined votes cast for the office of municipal judge shall be declared elected to the position.

SECTION 3. When any two or more cities and/or towns enter into an agreement whereby a single judge will serve as judge of the municipal court of each of such agreeing municipalities, the person serving as judge of said court, whether elected by the qualified electors of one municipality or by the qualified electors of all the agreeing municipalities shall be entitled to receive such compensation as may be determined by the governing bodies of the various agreeing municipalities, and the county, and such compensation and the cost of the operation of municipal courts of the agreeing municipalities shall be apportioned among the various participating municipalities, and the county, in such manner as shall be agreed upon by the governing bodies of the agreeing municipalities and the county, if the county is a party to such agreement.

SECTION 4. When any two or more municipalities in a county shall have heretofore or shall hereafter establish a municipal court and enter into agreements whereby a single judge will serve as judge of each of the municipal courts of the agreeing municipalities, the municipal court of all the agreeing municipalities may be held in one location or may be held in each of the agreeing municipalities as may be agreed upon by the municipalities involved.

SECTION 5. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 6. It is hereby found and determined by the General Assembly

that because of the case *Ricarte v. State*, CR 86-31, a question has arisen over the validity of Act 1085 of the Extended Session of 1976; that this Act is a reenactment of the former law; and that the immediate passage of this Act is necessary to clarify the state of the law on this issue. Therefore, an emergency is hereby declared to exist, and this Act being necessary for the immediate preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval.

