

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

# A Bill

HOUSE BILL 1634

5 By: Representative Speaks  
6 By: Senator B. Johnson  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING A COUNTY  
10 TREASURER'S COMMISSION; AND FOR OTHER PURPOSES.  
11

### Subtitle

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14 TO AMEND THE LAW CONCERNING A COUNTY  
15 TREASURER'S COMMISSION.  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
19

20 SECTION 1. Arkansas Code § 21-6-302 is amended to read as follows:

21 21-6-302. County treasurers - Commission - Definition - Findings.

22 (a) The General Assembly finds that:

23 (1) Requiring the collection of commissions from funds under  
24 this section provides for fair and equitable treatment of the entities on the  
25 books of the county;

26 (2) The exceptions to the collection of commissions from funds  
27 are valid exceptions; and

28 (3) The exceptions to the collection of county treasurer  
29 commissions under this section are the only valid exceptions.

30 (b) Unless otherwise provided by under subdivision (f)(1) or  
31 subsection (g) of this section or under §§ 6-13-701, § 6-17-908, § 6-20-221,  
32 § 8-15-111, § 14-90-913, § 14-174-109, § 14-284-403, and 21-6-104 or § 19-5-  
33 1096, the county treasurers shall be required to collect, as a treasurer's  
34 commission, two percent (2%) on all funds coming into their hands as  
35 treasurers and to be paid out of the respective funds.

36 ~~(b)~~(c) All The commissions collected under this section shall be paid



1 into the county treasury to the credit of the county treasurer's commission  
 2 fund.

3 ~~(e)~~(d) All The moneys collected by the treasurer as commissions shall  
 4 be used by the treasurer to offset administrative costs.

5 ~~(d)~~(e)(1) The treasurer may set aside up to ten percent (10%) of the  
 6 gross commissions collected annually to be credited to the county treasurer's  
 7 automation fund to be used:

8 (A) To operate the office of the county treasurer;

9 (B) For administrative costs; and

10 (C) To purchase, maintain, and operate an automated  
 11 accounting and record-keeping system.

12 (2) The acquisition and update of software for the automated  
 13 accounting and record-keeping system ~~shall be~~ are permitted uses of these  
 14 funds.

15 (3)(A) Moneys deposited into ~~this fund~~ the county treasurer's  
 16 automation fund may accumulate and are not subject to the distribution of  
 17 excess commission.

18 (B) The moneys shall be appropriated and expended for the  
 19 uses designated in this section by the quorum court at the direction of the  
 20 treasurer.

21 ~~(e)~~(f)(1) The treasurer shall not receive ~~ne~~ a commission for the  
 22 handling of revolving loan, equalizing, and vocational education funds,  
 23 proceeds of school bond sales, money collected from insurance or risk  
 24 management funds on losses, federal or state grants, funds the county  
 25 treasurer is not statutorily or by ordinance authorized to manage, and ~~all~~  
 26 nonrevenue receipts.

27 (2) As used in this subsection, "nonrevenue receipts" means  
 28 reimbursement of all or a part of a payment made by the county.

29 ~~(f)~~(g)(1) ~~In~~ Except as provided in subdivision (g)(2) of this section,  
 30 in the case of funds of a school district composed of area in two (2) or more  
 31 counties, only the county treasurer of the county in which the district is  
 32 administered shall be allowed a commission on ~~such~~ the funds.

33 (2) If the school district has a district treasurer, the county  
 34 treasurer collecting the school district funds and remitting them to the  
 35 district treasurer is allowed a commission on the funds of that school  
 36 district in accordance with §§ 6-13-701 and 6-20-221.

1           (h) Annual commissions not used for the operation of the county  
2 treasurer's office, except those commissions set aside in the county  
3 treasurer's automation fund, shall be prorated to the appropriate entities as  
4 excess commission.

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