

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

A Bill

HOUSE BILL 1178

5 By: Representative R. Scott Richardson
6 By: Senator D. Wallace
7

For An Act To Be Entitled

8
9 AN ACT CONCERNING MUNICIPAL ORDINANCE VIOLATIONS; TO
10 AMEND THE LAW CONCERNING SUMS COLLECTED BY DISTRICT
11 COURTS; TO AMEND THE LAW CONCERNING COST SHARING FOR
12 DISTRICT COURT EXPENSES; TO ALLOW A PROSECUTING
13 ATTORNEY TO PROSECUTE MUNICIPAL ORDINANCE VIOLATIONS;
14 AND FOR OTHER PURPOSES.
15
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Subtitle

17
18 TO AMEND THE LAW CONCERNING SUMS
19 COLLECTED BY DISTRICT COURTS; TO AMEND
20 THE LAW CONCERNING COST SHARING FOR
21 DISTRICT COURT EXPENSES; AND TO ALLOW A
22 PROSECUTING ATTORNEY TO PROSECUTE
23 MUNICIPAL ORDINANCE VIOLATIONS.
24

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

27 SECTION 1. Arkansas Code § 16-17-707(a) and (b), concerning the
28 separate accounting records for all sums collected by the district court, is
29 amended to read as follows:

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

34 (1) The first class of accounting records shall embrace all sums
35 collected in the district court in all nontraffic cases which are
36 misdemeanors or violations of the ~~town or city~~ ordinances of a town or city



1 in the district and all cases which are misdemeanors or violations under
2 state law or traffic offenses which are misdemeanors or violations under
3 state law or town or city ordinance committed within the corporate limits of
4 the town or city where the court sits, where the arresting officer was a
5 police officer or other officer of the town or city, a Division of Arkansas
6 State Police officer or other certified law enforcement officer of the state,
7 or an officer of a private or public college or university located within the
8 corporate limits of the town or city where the court sits;

9 (2) The second class of accounting records shall embrace all
10 sums collected in the district court in all nontraffic cases which are
11 misdemeanors or violations of county ordinances or are misdemeanors or
12 violations of any of the laws of the state where the arresting officer was
13 the county sheriff or a deputy sheriff or was not a police officer or other
14 officer of the town or city where the court sits, and the offense was
15 committed outside the corporate limits of the town or city where the court
16 sits, and in all other criminal or traffic proceedings not specifically
17 enumerated in this section; and

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

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

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

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

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

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

34 (2) Any district court that is funded solely by the county shall
35 pay all sums collected from the first or second class of accounting records
36 into the county treasury and shall pay all uniform filing fees and court

1 costs collected into the county administration of justice fund.

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

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

7
8 SECTION 2. Arkansas Code § 16-17-1203(a)(1), concerning the procedure
9 for cost sharing for the expenses of a district court, is amended to read as
10 follows:

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

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

19
20 SECTION 3. Arkansas Code § 16-21-103 is amended to read as follows:

21 16-21-103. Duty to commence and prosecute criminal actions.

22 (a) Each prosecuting attorney shall commence and prosecute all
23 criminal actions in which the state or any county in his or her district may
24 be concerned.

25 (b)(1) A prosecuting attorney may enter into an agreement with a
26 municipality to provide prosecution for violations of municipal ordinances.

27 (2) In an agreement under subdivision (b)(1) of this section,
28 the municipality shall contribute to the operating expenses of the
29 prosecuting attorney's office in an amount not to exceed fifty percent (50%)
30 of the prorated sums collected by the district court and distributed to the
31 municipality as provided in § 16-17-1203.