

April 30, 1986

OPINION NO. 86-174

The Honorable Mike Beebe
Senator, 29th District
211 Arch Street
Searcy, Arkansas 72143

Dear Senator Beebe:

I am in receipt of your opinion request in which you ask what is the disposition of fines and court costs in the case of a prosecution for the violation of a state law within the jurisdictional limits of a corporation court, such as a mayor's court, where the prosecution is commenced in the corporation court and later transferred to the local municipal court?

The answer to that question is found in Ark. Stat. Ann. §22-719 (Repl. 1962). That section establishes two accounts of all fines and costs collected by the municipal clerk. The first account, or class as it is called in §22-719, is comprised of fines and costs in criminal cases collected for violation of city ordinances and state laws committed in the corporate limits of the city where the municipal court sits, where the arresting officer was a city policeman or official or a state policeman. In the second account are fines and costs levied for violations of state law where the arresting officer was not a city officer or official or, if the arrest was made outside the city limits, the arresting officer was a state policeman. Also in this record account are fines and costs in all other criminal proceedings not specifically enumerated.

The money in the first class (account) is paid into the city treasury, and the money in the second class (account) is paid into the county treasury.

The foregoing opinion, which I hereby approve, was prepared by Assistant Attorney General Theodore Holder.

Sincerely,

STEVE CLARK
Attorney General

SC:TH:jh

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