

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

SENATE BILL 374

5 By: Senator M. McKee
6 By: Representative Schulz
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAWS RELATING TO A COUNTY
10 TREASURER AND THE FINANCIAL OPERATIONS OF A COUNTY;
11 TO AMEND THE ARKANSAS COUNTY ACCOUNTING LAW OF 1973;
12 TO AMEND THE LAW RELATING TO DISTRIBUTION OF
13 DELINQUENT PROPERTY TAX PAYMENTS AND OTHER FUNDS BY A
14 COUNTY TREASURER; AND FOR OTHER PURPOSES.
15

Subtitle

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17
18 TO AMEND THE LAWS RELATING TO A COUNTY
19 TREASURER AND THE FINANCIAL OPERATIONS OF
20 A COUNTY.
21

22
23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

25 SECTION 1. Arkansas Code § 14-15-807 is amended to read as follows:

26 14-15-807. Accounting of ~~moneys~~ revenue received and disbursed.

27 (a) A county treasurer shall keep a true and just account of all
28 ~~moneys~~ revenue received and disbursed ~~and a regular abstract of all warrants~~
29 ~~paid by him or her.~~

30 (b) A treasurer shall make duplicate receipts, in accordance with §
31 14-25-108, in favor of the proper person for all ~~moneys~~ revenue paid into the
32 treasury and keep ~~the books, papers, and money~~ all financial records
33 pertaining to his or her office at all times ready for ~~the~~ inspection as
34 public records of the county ~~of the county court or the presiding judge~~
35 ~~thereof.~~

36 (c) (1) A treasurer shall furnish the county quorum court and the



1 county judge with an account of the receipts and expenditures of the county
 2 not previously accounted for at each ~~term~~ regular meeting of the county
 3 quorum court, if required.

4 (2) The county judge and the county quorum court may request
 5 from the county treasurer any county financial information needed to make
 6 sound financial decisions for the county.

7
 8 SECTION 2. Arkansas Code § 14-21-102(c), concerning the county annual
 9 financial report, is amended to read as follows:

10 (c) All costs associated with the publication of the annual financial
 11 report of the county ~~may be prorated equally between the clerk of the county~~
 12 ~~court and~~ shall be charged to the budget of the county treasurer.

13
 14 SECTION 3. Arkansas Code § 14-25-114 is amended to read as follows:
 15 14-25-114. County treasurer.

16 (a)(1) The county treasurer shall receive and receipt ~~for all moneys~~
 17 revenue payable to the county treasury and pay and disburse ~~them on warrants~~
 18 ~~or~~ the revenue on checks drawn by order of the county court.

19 (2) The treasurer shall keep a true and accurate account of all
 20 ~~moneys~~ revenue received and disbursed and a true and accurate record of all
 21 ~~warrants or~~ checks paid by him or her.

22 (3) The treasurer shall maintain and issue prenumbered receipts
 23 for all ~~moneys~~ revenue paid into the treasury in accordance with § 14-25-108.

24 (b) The treasurer shall establish and maintain the following
 25 accounting practices, in relation to the operations of the office:

26 (1) ~~The number and date of checks paying warrants where the~~
 27 ~~county is using a system of paying several warrants presented by the bank~~
 28 ~~shall be identified with the warrants in posting to the treasurer's book or~~
 29 ~~record of accounts;~~

30 (2) ~~The check number and its date shall be entered on the~~
 31 ~~warrant, and the warrant number and its date shall be entered on the face of~~
 32 ~~the check and on the check stub, as well as the account represented;~~

33 (3) Postings to the treasurer's ~~book or record of accounts of~~
 34 ~~warrants and~~ county financial record of checks shall be under the transaction
 35 date on the instruments, not the date the items are entered in the ~~books or~~
 36 ~~records of accounts~~ county financial records;

1 ~~(4)~~(2) Banks shall be requested to present all ~~warrants~~ checks
2 held at the end of the month promptly so that they may be included in the
3 treasurer’s ~~book or record of accounts~~ county financial records in the month
4 to which they pertain with the bank statement cycle for county funds ending
5 on the final day of the month;

6 ~~(5)~~(3) All funds in the treasurer’s ~~book or record of accounts~~
7 county financial records shall be reconciled with the bank at least monthly.
8 Reconciliations shall be retained and filed with the bank statements;

9 ~~(6)~~(4) Clear reference shall be made in the treasurer’s ~~book or~~
10 ~~record of accounts~~ county financial records as to the origins of all ~~moneys~~
11 revenue. This may be by notation citing the origin, date, receipt number, and
12 other pertinent information;

13 ~~(7)~~(5) Transfers shall clearly state the fund to which the
14 ~~moneys are~~ revenue is being transferred, and the recipient fund shall state
15 the origin of ~~its receipt~~ the transfer received;

16 ~~(8)~~(6) A brief explanation of the computation of the treasurer’s
17 commission to provide a clear and permanent record of how the commission was
18 determined shall be maintained and shall comply with § 21-6-302;

19 ~~(9)~~(7) Corrections to the treasurer’s ~~book or records of~~
20 ~~accounts~~ county financial records shall be entered at the time of discovery
21 and under the date of the entry into the treasurer’s records. A notation
22 shall be made at the erroneous balance if it is at a previous date, but under
23 no circumstances shall a previous month’s balance be changed when it has been
24 brought forward into the succeeding period;

25 ~~(10)~~(8) Receipts shall be prepared for all ~~moneys~~ revenue
26 received, but shall never be used to ~~effect~~ make any other type of accounting
27 transaction. ~~Bank deposits shall be intact, prompt, and identified as to type~~
28 ~~of receipts;~~

29 ~~(11)~~(9) Copies of all receipts shall be retained, including
30 copies of voided receipts;

31 (10) The treasurer shall maintain all bank accounts and
32 financial records of accounts as prescribed by law in reference to the duties
33 of his or her office. The bank accounts shall be maintained as prescribed in
34 § 14-25-102;

35 (11) Bank deposits shall be prompt, identified as to receipt
36 numbers, and deposited in the same form as collected;

1 (12) Printers' certificates shall be obtained and kept for each
2 printing order of formally prenumbered receipts in compliance with § 14-25-
3 108;

4 (13) All balances on the treasurer's ~~book~~ county financial
5 records not belonging to the county and awaiting clearance shall be remitted
6 on or before December 31, or promptly thereafter, ~~as of December 31~~; and

7 (14) Municipal fund revenue shall be remitted to the
8 municipality by separate check or electronic transfer for each appropriate
9 dedicated municipal fund.

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11 SECTION 4. Arkansas Code § 26-36-209(b)(2), concerning the time and
12 manner of the collection and distribution of delinquent personal property
13 taxes, is amended to read as follows:

14 (2) However, upon a certificate of distribution of the amounts
15 collected under this section being prepared by the county clerk, county
16 collector, or other county officer designated pursuant to § 26-28-102(a),
17 which certificate shall be issued on or before the ~~thirtieth~~ fifteenth day of
18 each month, the county treasurer shall transfer to the various funds the
19 amount due each fund.

20
21 SECTION 5. Arkansas Code § 26-37-109(c), concerning the redemption of
22 tax-delinquent real property, is amended to read as follows:

23 (c) The county collector shall pay over to the county treasurer on the
24 first of each month or within ten (10) days thereafter all amounts collected
25 under this section. However, upon a certificate of distribution of the
26 amounts collected under this section being prepared by the county clerk, ~~or~~
27 county collector, or other county officer designated pursuant to § 26-28-
28 102(a), which certificate of distribution shall be issued on or before the
29 ~~thirtieth~~ fifteenth day of each month, the county treasurer shall transfer to
30 the various funds the amount due each fund, such as the county, school, or
31 municipality fund, from the amounts collected under this section.

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33 SECTION 6. Arkansas Code § 26-39-201(b)(2), concerning the time for
34 payment of county funds by a county treasurer, is amended to read as follows:

35 (2) Upon the issuance of a certificate of the county clerk or
36 other county officer designated pursuant to § 26-28-102(a) that is issued on

1 or before the ~~thirtieth~~ fifteenth day of each month, the county treasurer
2 shall transfer to the various funds ninety percent (90%) of the advance
3 payments made by the county collector during the collecting period and, upon
4 final settlement, the proper adjustments shall be made with the various
5 accounts, and the balance remaining in the unapportioned account shall be
6 distributed upon order of the county court approving the final settlement of
7 the county collector.

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15 **APPROVED: 4/4/23**
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