

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Engrossed: H3/12/99

A Bill

HOUSE BILL 2205

5 By: Representatives Hickinbotham, Shoffner, House, Weaver
6 By: Senator Critcher
7

For An Act To Be Entitled

10 "AN ACT TO AMEND ARKANSAS CODE 16-21-801 TO PROVIDE
11 FOR THE CONTINGENT EXPENSE ALLOWANCE AND STAFF OF THE
12 PROSECUTING ATTORNEY OF THE THIRD JUDICIAL DISTRICT;
13 AND FOR OTHER PURPOSES. "
14

Subtitle

15 "TO AMEND ARKANSAS CODE 16-21-801 TO
16 PROVIDE FOR THE CONTINGENT EXPENSE
17 ALLOWANCE AND STAFF OF THE PROSECUTING
18 ATTORNEY OF THE THIRD JUDICIAL DISTRICT. "
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. *Arkansas Code 16-21-801 is amended to read as follows:*

25 "(a) The Office of the Prosecuting Attorney of the Third Judicial
26 District shall be allowed the receive not less than a contingent expense
27 reimbursement for the expenses of his office, including, but not limited to,
28 telephone, telegraph, postage, printing, office supplies and equipment, office
29 rent, stationery, traveling expense, special service, operation of
30 automobiles, and such other expense which, within the discretion of the
31 prosecuting attorney, may be a proper expense of the office, and also
32 including necessary expense in connection with any proper investigation
33 incident to any criminal law violation or trials before any grand jury, or any
34 court within the judicial district, coming within the duties of his office.

35 (b) *The expenses provided for in subsection (a) of this section shall*
36 *be borne by the counties comprising the Third Judicial District as follows:*

1	Jackson	\$2,700	<u>\$5,000</u> per year
2	Lawrence	\$2,700	<u>\$5,000</u> per year
3	Randolph	\$2,400 ...	<u>\$5,000</u> per year
4	Sharp	\$200	<u>\$5,000</u> per year

5 (c) ~~The expenses provided for shall be paid on a monthly basis by each~~
6 ~~county in equal quarterly installments from each county general fund and the~~
7 ~~checks shall be made payable to the Office of the Prosecuting Attorney;~~
8 ~~disbursements shall be made by the Prosecuting Attorney for the necessary~~
9 ~~expenses of the office based upon adequate documentation.~~

10 (d) ~~The annual salary for the deputy prosecuting attorney for Randolph~~
11 ~~County shall be a minimum of twelve thousand five hundred dollars (\$12,500)~~
12 ~~and a maximum of twenty thousand dollars (\$20,000), to be paid by the county.~~
13 ~~The Randolph County deputy prosecuting attorney shall receive an annual~~
14 ~~expense allowance of a minimum of six thousand dollars (\$6,000) and a maximum~~
15 ~~of ten thousand dollars (\$10,000), to be paid by the county. Each deputy~~
16 ~~prosecuting attorney of the Third Judicial District shall receive a~~
17 ~~reimbursement for the expenses of their office including, but not limited to,~~
18 ~~maintenance and operation, capital outlay, office supplies, telephone,~~
19 ~~postage, copying, insurance, and library. Disbursements shall be made for the~~
20 ~~necessary expenses of the office based upon adequate documentation and upon~~
21 ~~appropriation of the respective county's quorum court and approval of each~~
22 ~~respective county judge. The prosecuting attorney or deputies may also be~~
23 ~~allowed additional expenses upon appropriation of the quorum court and~~
24 ~~approval of each respective county judge.~~

25 (e) The Prosecuting Attorney of the Third Judicial District shall be
26 entitled to the following assistants and employees:

27 (1) One (1) chief deputy prosecuting attorney, whose salary shall
28 not be less than twenty-eight thousand seventy dollars (\$28,070) per annum.
29 The salary is to be paid in accordance with the pay periods and payroll policy
30 for county employees of Jackson County. In addition to the salary, social
31 security, matching retirement, insurance, and all related salary expenses
32 shall be paid by Jackson County;

33 (2) One (1) deputy prosecuting attorney, whose salary shall not
34 be less than twenty-four thousand, three hundred fifty dollars (\$24,350) per
35 annum. The salary is to be paid in accordance with the pay periods and
36 payroll for county employees of Lawrence County. In addition to the salary,

1 social security, matching retirement, insurance, and all related salary
2 expenses shall be paid by Lawrence County;

3 (3) One (1) deputy prosecuting attorney, whose salary shall not
4 be less than twenty-one thousand seven hundred fifty dollars (\$21,750) per
5 annum. The salary is to be paid in accordance with the pay periods and
6 payroll policy for county employees of Randolph County. In addition to the
7 salary, social security, matching retirement, insurance, and all related
8 salary expenses shall be paid by Randolph County;

9 (4) One (1) deputy prosecuting attorney, whose salary shall not
10 be less than twenty thousand nine hundred dollars (\$20,900) per annum. The
11 salary is to be paid in accordance with the pay periods and payroll policy for
12 county employees of Sharp County. In addition to the salary, social security,
13 matching retirement, insurance, and all related salary expenses shall be paid
14 by Sharp County;

15 (5) One (1) deputy prosecuting attorney, whose salary shall not
16 be less than twenty thousand nine hundred dollars (\$20,900) per annum. The
17 salary is to be paid in accordance with the pay periods and payroll policy for
18 county employees of Jackson County. In addition to the salary, social
19 security, matching retirement, insurance, and all related salary expenses
20 shall be paid by Jackson County. The counties of Lawrence, Randolph, and
21 Sharp shall reimburse Jackson County for a pro-rata share of the salary,
22 social security, matching retirement, insurance, and all related salary
23 expenses paid for this position;

24 (6) One (1) administrative assistant, whose salary shall not be
25 less than twenty-four thousand five hundred dollars (\$24,500) per annum. The
26 salary is to be paid in accordance with the pay periods and payroll policy of
27 Sharp County. In addition to the salary, social security, matching
28 retirement, insurance, and all related salary expenses shall be paid by Sharp
29 County. The counties of Lawrence, Randolph, and Jackson shall reimburse Sharp
30 County for a pro-rata share of the salary, social security, matching
31 retirement, insurance, and all related salary expenses paid for this position;

32 (7) One (1) part-time secretary, whose salary shall not be less
33 than ten thousand dollars (\$10,000) per annum. The salary is to be paid in
34 accordance with the pay periods and payroll policy of Jackson County. In
35 addition to the salary, social security, matching retirement, insurance, and
36 all related salary expenses shall be paid by Jackson County;

1 (8) One (1) part-time secretary, whose salary shall not be less
2 than ten thousand dollars (\$10,000) per annum. The salary is to be paid in
3 accordance with the pay periods and payroll policy of Lawrence County. In
4 addition to the salary, social security, matching retirement, insurance, and
5 all related salary expenses shall be paid by Lawrence County;

6 (9) One (1) part-time secretary, whose salary shall not be less
7 than ten thousand dollars (\$10,000) per annum. The salary is to be paid in
8 accordance with the pay periods and payroll policy of Randolph County. In
9 addition to the salary, social security, matching retirement, insurance, and
10 all related salary expenses shall be paid by Randolph County;

11 (10) One (1) part-time secretary, whose salary shall not be less
12 than ten thousand dollars (\$10,000) per annum. The salary is to be paid in
13 accordance with the pay periods and payroll policy of Sharp County. In
14 addition to the salary, social security, matching retirement, insurance, and
15 all related salary expenses shall be paid by Sharp County;

16 (11) One (1) part-time secretary, whose salary shall not be less
17 than ten thousand dollars (\$10,000) per annum. The salary is to be paid in
18 accordance with the pay periods and payroll policy of Jackson County. In
19 addition to the salary, social security, matching retirement, insurance, and
20 all related salary expenses shall be paid by Jackson County. The counties of
21 Lawrence, Randolph, and Sharp shall reimburse Jackson County for a pro-rata
22 share of the salary, social security, matching retirement, insurance, and all
23 related salary expenses paid for this position.

24 (f) Nothing in this act shall prevent nor prohibit each quorum court in
25 the respective counties in the Third Judicial District from appropriating
26 additional positions, salaries, salary matching requirements, or expenses
27 greater than the amounts mandated herein should they deem it necessary to do
28 so.

29 (g) The prosecuting attorney of the Third Judicial District shall be
30 allowed additional assistance and employees in each county upon appropriation
31 of the quorum court and approval of the county judge in each respective
32 county."

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34 SECTION 2. All provisions of this act of a general and permanent nature
35 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
36 Revision Commission shall incorporate the same in the Code.

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SECTION 3. *If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.*

SECTION 4. *All laws and parts of laws in conflict with this act are hereby repealed.*

SECTION 5. *The provisions of this act shall be effective retroactive to January 1, 1999.*

SECTION 6. EMERGENCY CLAUSE. *It is hereby found and determined by the Eighty-second General Assembly that this act is essential to the operation of the criminal justice system within the Third Judicial District. It is also determined that the prosecuting attorney of the Third Judicial District is in need of these personnel in order to fight the war on drugs and combat crime in the Third Judicial District. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto.*

/s/ Hickinbotham, et al