

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

A Bill

SENATE BILL 520

5 By: Senator Maloch
6

For An Act To Be Entitled

8 AN ACT CONCERNING SETTLEMENT AGREEMENTS NEGOTIATED BY
9 OUTSIDE COUNSEL ON BEHALF OF THE STATE; TO PROVIDE
10 FOR OVERSIGHT OF CERTAIN SETTLEMENT AGREEMENTS
11 ENTERED INTO BY THE STATE; AND FOR OTHER PURPOSES.
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Subtitle

14 TO PROVIDE FOR OVERSIGHT OF CERTAIN
15 SETTLEMENT AGREEMENTS NEGOTIATED BY
16 OUTSIDE COUNSEL ON BEHALF OF THE STATE.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 25-16-702, concerning the Attorney
23 General's representation of state agencies and officers and the employment of
24 outside counsel, is amended to add an additional subsection to read as
25 follows:

26 (f)(1)(A) As used in this subdivision (f)(1), "state officer or
27 entity" means:

28 (i) The Lieutenant Governor;

29 (ii) The Secretary of State;

30 (iii) The Treasurer of State;

31 (iv) The Attorney General;

32 (v) The Commissioner of State Lands;

33 (vi) The Auditor of State;

34 (vii) The Arkansas State Highway and Transportation
35 Department;

36 (viii) The Arkansas State Game and Fish Commission;



1 and

2 (ix) An agency, commission, board, bureau, office,
3 or other state instrumentality created within the executive branch.

4 (B) Before the execution of a settlement agreement
5 negotiated by outside legal counsel employed by a state officer or entity
6 under § 21-9-203(b), subdivision (b)(2) of this section, or subsection (c) of
7 this section, the settlement agreement shall be:

8 (i) Approved by the Governor; and

9 (ii) Submitted to the Litigation Reports Oversight
10 Subcommittee of the Legislative Council for review.

11 (2) Before the execution of a settlement agreement negotiated by
12 outside legal counsel employed by the Bureau of Legislative Research or
13 Arkansas Legislative Audit under § 21-9-203(b), subdivision (b)(2) of this
14 section, or subsection (c) of this section, the settlement agreement shall be
15 submitted to the Litigation Reports Oversight Subcommittee of the Legislative
16 Council for review.