

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: *Senators Everett and Lewellen***

**A BILL ACT 196 OF 1991**  
**SENATE BILL 71**

**For An Act To Be Entitled**

8 "AN ACT TO PRESCRIBE THE SALARY AND EXPENSE ALLOWANCE OF  
9 THE DEPUTY PROSECUTING ATTORNEYS FOR CRITTENDEN COUNTY;  
10 AND FOR OTHER PURPOSES."

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12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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14 SECTION 1. The prosecuting attorney of the Second Circuit-Chancery  
15 Court Circuit may appoint one or more deputy prosecuting attorneys for  
16 Crittenden County at a combined salary not to exceed \$89,775.00 per annum, and  
17 in such amounts, within the total amounts provided herein, as may be  
18 designated by the prosecuting attorney, plus a combined contingent expense  
19 allowance in an amount established by the quorum court not to exceed  
20 \$35,000.00 per annum. The salaries provided for herein shall be paid by the  
21 county court in twenty-four (24) semi-monthly installments from the County  
22 General Fund and the expense allowance shall be paid monthly in an amount  
23 necessary to provide office rental, postage, printing, office supplies,  
24 equipment, stationery, secretarial assistance, automobile operation and other  
25 proper expenses supported by written itemized claims filed by the deputy  
26 prosecuting attorney with the county judge and subject to the approval of the  
27 county judge.

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29 SECTION 2. All fees earned and payable to the deputy prosecuting  
30 attorneys in Crittenden County under laws now or hereafter in effect,  
31 including fees under the Hot Check Law, shall be deposited in the County  
32 Treasury and shall be credited to the County General Fund. Expenses actually  
33 incurred by the deputy prosecuting attorney or attorneys in Crittenden County  
34 in excess of the contingent expense allowance provided for such attorney or  
35 attorneys shall be paid upon itemized claims filed by such deputy or deputies.  
36 The expense and allowances provided in Section 1 shall be in addition to any

1 necessary expense incurred in connection with any proper investigation  
2 incident to violations or alleged violations of the criminal laws or any  
3 hearing or trial before a grand jury or any court, including expenses of  
4 obtaining evidence and securing attendance of witnesses from within or outside  
5 of the State of Arkansas and any unusual travel expenses incurred in  
6 connection with the duties of his office, which shall be paid by the county  
7 from the County General Revenue Fund upon the filing of a proper claim by the  
8 deputy prosecuting attorney or by the person or firm entitled to compensation  
9 therefor and having the approval of the deputy prosecuting attorney, the  
10 prosecuting attorney or the court in which such matter is pending.

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12 SECTION 3. It is not the purpose of this Act to repeal any laws now or  
13 hereafter enacted fixing the fees collectible as prosecuting attorneys' fees,  
14 but rather to update and make possible a more efficient administration of  
15 justice and county government. All courts shall collect the fees heretofore  
16 provided by law as prosecuting attorneys' fees and all such fees collected  
17 shall be paid into the County Treasury as required by law regarding funds  
18 belonging to the county. It is the explicit legislative intent to provide the  
19 salaries and expense allowances herein set forth without regard to the amount  
20 of prosecuting attorneys' fees and emoluments earned or collected in the  
21 counties affected by the Act. However, nothing in this Act shall be so  
22 interpreted as to preclude Crittenden County from paying additional expense  
23 allowances in addition to those enumerated herein upon proper action of the  
24 appropriate quorum courts.

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26 SECTION 4. The provisions of this Act shall be retroactive to January  
27 1, 1991 and thereafter.

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29 SECTION 5. Arkansas Code 16-21-701(a)(2)(A)&(B) are hereby repealed.

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31 SECTION 6. All provisions of this Act of a general and permanent nature  
32 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
33 Revision Commission shall incorporate the same in the Code.

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35 SECTION 7. If any provision of this Act or the application thereof to  
36 any person or circumstance is held invalid, such invalidity shall not affect

1 other provisions or applications of the Act which can be given effect without  
2 the invalid provision or application, and to this end the provisions of this  
3 Act are declared to be severable.

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5 SECTION 8. All laws and parts of laws in conflict with this Act are  
6 hereby repealed

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8 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the  
9 General Assembly that the salaries and contingent expense allowances provided  
10 for herein are immediately necessary to provide adequate compensation and  
11 allowances for the officers provided for herein to assure the effective and  
12 efficient administration of justice in the Second Circuit-Chancery Court  
13 Circuit and should be given effect immediately. Therefore, an emergency is  
14 hereby declared to exist and this Act being necessary for the immediate  
15 preservation of the public peace, health and safety shall be in full force and  
16 effect from and after its passage and approval.

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18 /s/Everett

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20 APPROVED: 2-20-91

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