

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

Act 1242 of 1999  
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. "

### Subtitle

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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:*

\*MHF436\*

0308991121.MHF436

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

APPROVED: 4/8/1999