

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 1524 of the Regular Session

1 State of Arkansas

As Engrossed: S3/9/05 H3/23/05

2 85th General Assembly

A Bill

3 Regular Session, 2005

SENATE BILL 946

4  
5 By: Senators Laverty, Glover

6 By: Representatives S. Prater, Roebuck, Dickinson, L. Evans, George, Pace, Pritchard, Medley, Berry

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9 **For An Act To Be Entitled**

10 AN ACT TO AMEND ARKANSAS CODE § 10-4-209 TO  
11 PROVIDE A REGULATORY BASIS OF FINANCIAL STATEMENT  
12 PRESENTATION FOR PROSECUTING ATTORNEYS; AND FOR  
13 OTHER PURPOSES.

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15 **Subtitle**

16 AN ACT TO PROVIDE FOR A REGULATORY BASIS  
17 OF FINANCIAL STATEMENT PRESENTATION FOR  
18 PROSECUTING ATTORNEYS.

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

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23 SECTION 1. Arkansas Code § 10-4-209 is amended to read as follows:  
24 10-4-209. Prosecuting attorneys – Accounting system – Audit.

25 (a) The Division of Legislative Audit shall assist the prosecuting  
26 attorneys and their deputies in developing an accounting system for funds  
27 received or disbursed by virtue of their office.

28 ~~(b) The funds and their supporting accounts, records, and~~  
29 ~~documentation shall be audited by the Division of Legislative Audit.~~

30 (b) The Legislative Auditor shall conduct audits of prosecuting  
31 attorneys in the state and any transaction regarding public funds of  
32 prosecuting attorneys.

33 (c) Regulatory Basis of Presentation.

34 (1) For prosecuting attorney financial audits, the financial  
35 statements shall be presented on a fund basis format with, as a minimum, the



1 general fund presented separately and all other funds included in the audit  
2 presented in the aggregate.

3 (2) The financial statements shall consist of the following:

4 (A) A balance sheet;

5 (B) A statement of revenues (receipts), expenditures  
6 (disbursements), and changes in fund equity (balance); and

7 (C) Notes to the financial statements.

8 (3) The report shall include as supplemental information a  
9 schedule of capital assets, including land, buildings, and equipment.

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11 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
12 General Assembly of the State of Arkansas that Statement No. 34 of the  
13 Governmental Accounting Standards Board, "Basic Financial Statements – and  
14 Management's Discussion and Analysis – for State and Local Governments",  
15 places an undue burden on the prosecuting attorneys within the State of  
16 Arkansas; that prosecuting attorneys in the State of Arkansas already face  
17 many pressures and requirements and do not have adequate personnel to prepare  
18 financial statements as required by Statement No. 34, and another basis of  
19 financial statement presentation will meet the needs of the General Assembly,  
20 the Department of Education, the school districts, and the people of the  
21 State of Arkansas; and that this act is immediately necessary to assist  
22 prosecuting attorneys. Therefore, an emergency is declared to exist and this  
23 act being immediately necessary for the preservation of the public peace,  
24 health, and safety shall become effective on:

25 (1) The date of its approval by the Governor;

26 (2) If the bill is neither approved nor vetoed by the Governor,  
27 the expiration of the period of time during which the Governor may veto the  
28 bill; or

29 (3) If the bill is vetoed by the Governor and the veto is  
30 overridden, the date the last house overrides the veto.

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32 /s/ Lavery, et al

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35 APPROVED: 3/31/2005

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