

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

SENATE BILL 363

5 By: Senator D. Wallace
6 By: Representative Gazaway
7

For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS LAW CONCERNING REPORTS OF
10 IMPROPER OR ILLEGAL PRACTICES; AND FOR OTHER
11 PURPOSES.
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Subtitle

14 TO AMEND ARKANSAS LAW CONCERNING REPORTS
15 OF IMPROPER OR ILLEGAL PRACTICES.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 10-4-419(a)-(c), concerning reports of
22 improper or illegal practices, are amended to read as follows:

23 (a)(1) If an audit report presented to the Legislative Joint Auditing
24 Committee or the appropriate standing subcommittee of the Legislative Joint
25 Auditing Committee reflects evidence of improper practices of financial
26 administration or inadequacy of fiscal records, the Legislative Auditor shall
27 report the evidence to the appropriate executive official or officials
28 affected thereby and to the governing body of the entity of the state or
29 political subdivision of the state.

30 (2) If the findings relate to an entity of the state, the
31 Legislative Auditor shall also report the findings to the Chief Fiscal
32 Officer of the State and the Attorney General.

33 (3) If the findings relate to a prosecuting attorney's office,
34 the Legislative Auditor shall also report the findings to the Attorney
35 General for review and appropriate action.

36 (b)(1) If an audit report presented to the Legislative Joint Auditing



1 Committee or the appropriate standing subcommittee of the Legislative Joint
2 Auditing Committee reflects evidence of apparent unauthorized disbursements
3 or unaccounted-for funds or property by a public official or employee, the
4 Legislative Auditor shall promptly report the transactions in writing to the
5 prosecuting attorney for the county in which the entity of the state or the
6 political subdivision of the state is located, the Governor, the Attorney
7 General, the appropriate executive official or officials affected thereby,
8 and the governing body of the entity of the state or political subdivision of
9 the state.

10 (2) If the findings relate to an entity of the state, the
11 Legislative Auditor shall also report the findings to the Chief Fiscal
12 Officer of the State.

13 ~~(3) If the findings relate to a prosecuting attorney's office,~~
14 ~~the Legislative Auditor shall also report the same to the Attorney General~~
15 ~~for review and appropriate action.~~

16 (c)(1) The Legislative Auditor shall notify and cooperate with the
17 appropriate prosecuting attorney and the Attorney General on all matters that
18 appear to involve a criminal offense.

19 (2) Upon request and with the approval of the cochairs of the
20 Legislative Joint Auditing Committee, the Legislative Auditor shall cooperate
21 in any other investigations by the appropriate prosecuting attorney, the
22 Attorney General, the Division of Arkansas State Police, or any other state
23 or federal law enforcement agency.

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26 **APPROVED: 4/11/23**
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