

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

A Bill

HOUSE BILL 1283

5 By: Representative Wright
6

For An Act To Be Entitled

8 AN ACT CONCERNING THE PAYMENT OF CERTAIN EXPENSES
9 INCURRED BY A PROSECUTING ATTORNEY IN THE FIRST
10 JUDICIAL DISTRICT; CONCERNING PERSONNEL EMPLOYED BY
11 THE PROSECUTING ATTORNEY OF THE FIRST JUDICIAL
12 DISTRICT; AND FOR OTHER PURPOSES.
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Subtitle

15 CONCERNING THE PAYMENT OF CERTAIN
16 EXPENSES INCURRED BY A PROSECUTING
17 ATTORNEY IN THE FIRST JUDICIAL DISTRICT;
18 AND CONCERNING PERSONNEL EMPLOYED BY THE
19 PROSECUTING ATTORNEY OF THE FIRST
20 JUDICIAL DISTRICT.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 16-21-601 is amended to read as follows:

27 16-21-601. ~~Contingent~~ Prosecuting attorney contingent expense
28 allowance.

29 (a) In lieu of any other contingent expense allowance provided by law
30 for the Prosecuting Attorney of the First Judicial District, the prosecuting
31 attorney shall receive an expense allowance to be ~~borne~~ paid by the
32 respective counties of the First Judicial District as follows:

33 (1) Cross County Such amount as may be approved by
34 the Quorum Court of Cross County, ~~not to exceed one thousand dollars (\$1,000)~~
35 ~~per annum~~ no less than five thousand dollars (\$5,000) per year;

36 (2) Lee County Such amount as may be approved by



1 the Quorum Court of Lee County, ~~not to exceed one thousand dollars (\$1,000)~~
 2 ~~per annum~~ no less than four thousand dollars (\$4,000) per year;

3 (3) Monroe County Such amount as may be approved by the
 4 Quorum Court of Monroe County, ~~not to exceed one thousand eight hundred~~
 5 ~~dollars (\$1,800) per annum~~ no less than four thousand dollars (\$4,000) per
 6 year;

7 (4) Phillips County Such amount as may be approved by
 8 the Quorum Court of Phillips County, ~~not to exceed one thousand eight hundred~~
 9 ~~dollars (\$1,800) per annum~~ no less than five thousand dollars (\$5,000) per
 10 year;

11 (5) St. Francis County . . . Such amount as may be approved by
 12 the Quorum Court of St. Francis County, ~~not to exceed one thousand eight~~
 13 ~~hundred dollars (\$1,800) per annum~~ no less than five thousand dollars
 14 (\$5,000) per year; and

15 (6) Woodruff County . . . Such amount as may be approved by the
 16 Quorum Court of Woodruff County, ~~not to exceed one thousand four hundred~~
 17 ~~dollars (\$1,400) per annum~~ no less than four thousand dollars (\$4,000) per
 18 year.

19 (b)(1) The expenses described in subsection (a) of this section shall
 20 be paid in equal monthly or quarterly installments from each county's general
 21 fund and shall be made payable to the office of the Prosecuting Attorney of
 22 the First Judicial District.

23 (2) The prosecuting attorney shall make disbursements for the
 24 expenses of the office based upon adequate documentation.

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 26 SECTION 2. Arkansas Code Title 16, Chapter 21, Subchapter 6, is
 27 amended to add three new sections to read as follows:

28 16-21-602. Funding of expenses and employees.

29 (a) Through an annual appropriation at sufficient levels for
 30 operation, each county within the First Judicial District is responsible for
 31 the office expenses of the elected prosecuting attorney and the deputy
 32 prosecuting attorneys, including without limitation:

33 (1) The cost of facilities, equipment, maintenance and
 34 operation, service contracts, capital outlay, office supplies, office and
 35 mobile telephones, postage, copy machines, copying, computers, printers,
 36 computer and printer supplies, travel, insurance, and copies of the Arkansas

1 Code and Arkansas Model Jury Instructions;

2 (2) Within the discretion of the prosecuting attorney, other
 3 office expenses that are a proper expense for elected prosecuting attorneys
 4 and deputy prosecuting attorneys; and

5 (3) Necessary expenses in connection with an investigation
 6 incidental to a criminal law violation or trial before a court within the
 7 judicial district coming within the duties of the prosecuting attorney's
 8 office.

9 (b) Through an annual appropriation at sufficient levels for
 10 operation, each county within the First Judicial District is responsible for
 11 employee and assistant expenses of the elected prosecuting attorney and the
 12 deputy prosecuting attorneys, including without limitation:

13 (1) The cost of salaries and benefits of support staff, Social
 14 Security, matching, retirement, health insurance, and all related salary
 15 expenses of employees and assistants; and

16 (2) Within the discretion of the prosecuting attorney, other
 17 employee and assistant expenses for the elected prosecuting attorneys and
 18 deputy prosecuting attorneys that are a proper expense, except for deputy
 19 prosecuting attorneys' salaries and benefits.

20
 21 16-21-603. Investigators.

22 (a) The Prosecuting Attorney of the First Judicial District may
 23 appoint and employ one (1) investigator whose salary shall be no less than
 24 thirty thousand dollars (\$30,000) per year, to be paid by the respective
 25 counties of the First Judicial District, together with the cost of Social
 26 Security, matching, retirement, health insurance, and all related salary
 27 expenses, as follows:

28 (1) Cross County Eighteen percent (18%);

29 (2) Lee County Fourteen percent (14%);

30 (3) Monroe County Eighteen percent (18%);

31 (4) Phillips County Eighteen percent (18%);

32 (5) St. Francis County Eighteen percent (18%); and

33 (6) Woodruff County Fourteen percent (14%).

34 (b) In addition to the investigator listed in subsection (a) of this
 35 section, the prosecuting attorney for the First Judicial District may appoint
 36 and employ other investigators as necessary for the administration of

1 justice.

2 (c)(1) All investigators authorized and appointed may issue process,
3 serve warrants, and possess all law enforcement officer powers.

4 (2) Investigators under this section shall be certified law
5 enforcement officers commissioned by the Arkansas Commission on Law
6 Enforcement Standards and Training and shall be defined as law enforcement
7 officers under Arkansas law.

8 (3) If an investigator under this section issues process or
9 serves a warrant, the office of the prosecuting attorney shall receive the
10 same fee as provided in § 21-6-307, which shall be deposited into the hot
11 check fees account.

12
13 16-21-604. Phillips County Prosecuting Attorney and deputies expenses.

14 (a) Phillips County shall appropriate at a minimum thirty five
15 thousand dollars (\$35,000) under § 16-21-602(a).

16 (b)(1) The expenses as described in subsection (a) of this section
17 shall be paid in equal monthly installments from the county general fund, and
18 the checks shall be made payable to the office of the prosecuting attorney or
19 as directed by the Prosecuting Attorney of the First Judicial District.

20 (2) The prosecuting attorney shall make disbursements for the
21 expenses of the office based upon adequate documentation.

22 (c) The prosecuting attorney also may be allowed additional office
23 expenses upon appropriation of the Phillips County quorum court and approval
24 of the county judge.

25 (d) In addition to office expenses, the prosecuting attorney may
26 employ the following employees and assistants for Phillips County:

27 (1)(A) One (1) person to serve as secretary and administrative
28 assistant, whose salary shall not be less than twenty-four thousand five
29 hundred dollars (\$24,500) per year.

30 (B) The salary under subdivision (d)(1)(A) of this section
31 shall be paid in accordance with the pay periods and payroll policy of
32 Phillips County.

33 (C) In addition to the salary under subdivision (d)(1)(A)
34 of this section, Social Security, matching, retirement, health insurance, and
35 all related salary expenses shall be paid by Phillips County; and

36 (2)(A) One (1) secretary, whose salary shall not be less than

1 eighteen thousand dollars (\$18,000) per year.

2 (B) The salary under subdivision (d)(2)(A) of this section
3 shall be paid in accordance with the pay periods and payroll policy of
4 Phillips County.

5 (C) In addition to the salary under subdivision (d)(2)(A)
6 of this section, Social Security, matching, retirement, health insurance, and
7 all related salary expenses shall be paid by Phillips County.

8 (e) This section does not prohibit the quorum court of Phillips County
9 from appropriating additional positions, salaries, salary matching
10 requirements, or expenses greater than the amounts mandated in this section.

11 (f) The prosecuting attorney is allowed additional assistance and
12 employees in Phillips County upon appropriation of the quorum court and
13 approval of the county judge.

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