

1 State of Arkansas  
2 93rd General Assembly  
3 Fiscal Session, 2022  
4

# A Bill

SENATE BILL 107

5 By: Senator C. Tucker  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR CONTRACTING WITH  
9 ATTORNEYS FOR THE DEPUTY PROSECUTING ATTORNEYS FOR  
10 THE AUDITOR OF STATE FOR THE FISCAL YEAR ENDING JUNE  
11 30, 2022; AND FOR OTHER PURPOSES.  
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## Subtitle

14 AN ACT FOR THE AUDITOR OF STATE -  
15 CONTRACTING WITH ATTORNEYS FOR THE DEPUTY  
16 PROSECUTING ATTORNEYS APPROPRIATION FOR  
17 THE 2021-2022 FISCAL YEAR.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. APPROPRIATION - CONTRACTING WITH ATTORNEYS. There is hereby  
24 appropriated, to the Auditor of State, to be payable from the State Central  
25 Services Fund, for contracting with attorneys for the fiscal year ending June  
26 30, 2022, the following:  
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ITEM	FISCAL YEAR
NO.	2021-2022
(01) CONTRACTING WITH ATTORNEYS	<u>\$1,000,000</u>

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32 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

34 LEGISLATIVE INTENT. (a) The General Assembly recognizes that the normal  
35 functioning of the criminal justice system has been severely hampered by the  
36 ongoing coronavirus 2019 (COVID-19) pandemic, with court dockets slowed, jury



1 trials suspended, and the basic functions of visiting with witnesses and  
2 clients virtually grinding to a halt due to social distancing and masking  
3 rules put in place at the beginning of the pandemic.

4 (b) Now, with criminal trials resuming for the time being, the backlog  
5 of criminal cases remains, putting undue stress on the state’s prosecutors  
6 who are still attempting to resolve the thousands of backlogged cases while  
7 contending with the normal influx of new criminal cases.

8 (c)(1) The General Assembly intends for the appropriation provided for  
9 under this section to be used for the hiring of additional deputy prosecuting  
10 attorneys for a certain and limited period of time in order to help reduce  
11 the backlog in criminal cases that currently exists throughout the state.

12 (2) Specifically, it is the intent of the General Assembly that  
13 the appropriation provided for under this section be given to the office of  
14 the Prosecutor Coordinator for the office to hire, in its discretion, up to  
15 forty-five (45) additional attorneys in either a full-time or part-time  
16 capacity, subject to lawful terms negotiated by the office, to address the  
17 backlog in criminal cases.

18 (3) This section does not create new, permanent positions in the  
19 office but rather provides funding for extra help for a limited term to be  
20 negotiated by the office in its discretion.

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22 SECTION 3. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
23 authorized by this act shall be limited to the appropriation for such agency  
24 and funds made available by law for the support of such appropriations; and  
25 the restrictions of the State Procurement Law, the General Accounting and  
26 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
27 Procedures and Restrictions Act, or their successors, and other fiscal  
28 control laws of this State, where applicable, and regulations promulgated by  
29 the Department of Finance and Administration, as authorized by law, shall be  
30 strictly complied with in disbursement of said funds.

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32 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General  
33 Assembly that any funds disbursed under the authority of the appropriations  
34 contained in this act shall be in compliance with the stated reasons for  
35 which this act was adopted, as evidenced by the Agency Requests, Executive  
36 Recommendations and Legislative Recommendations contained in the budget

1 manuals prepared by the Department of Finance and Administration, letters, or  
2 summarized oral testimony in the official minutes of the Arkansas Legislative  
3 Council or Joint Budget Committee which relate to its passage and adoption.

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5 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General  
6 Assembly of the State of Arkansas that coronavirus 2019 (COVID-19) created a  
7 backlog in the criminal justice system and has put undue stress on the  
8 state’s prosecutors. There is a need to hire deputy prosecuting attorneys in  
9 an extra help capacity in order to help reduce the backlog in criminal cases  
10 that currently exists throughout the state. Therefore, an emergency is  
11 declared to exist, and this act being immediately necessary for the  
12 preservation of the public peace, health, and safety shall become effective  
13 on:

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

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

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

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