

2 State of Arkansas  
3 88th General Assembly  
4 Regular Session, 2011

# A Bill

HOUSE BILL 2146

5  
6 By: Representative Walker

7 Filed with: Interim House Committee on Judiciary  
8 pursuant to A.C.A. §10-3-217.

## For An Act To Be Entitled

9  
10 AN ACT REGARDING THE ILLEGAL DISBURSEMENT OF FUNDS BY  
11 A JUDGE; REGARDING THE PROHIBITION AGAINST PAYMENTS  
12 TO A PUBLIC DEFENDER OR PROSECUTING ATTORNEY; AND FOR  
13 OTHER PURPOSES.

## Subtitle

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16 REGARDING THE ILLEGAL DISBURSEMENT OF  
17 FUNDS BY A JUDGE AND REGARDING THE  
18 PROHIBITION AGAINST PAYMENTS TO A PUBLIC  
19 DEFENDER OR PROSECUTING ATTORNEY.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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25 SECTION 1. Arkansas Code Title 5, Chapter 52, Subchapter 1 is amended  
26 to add a new section to read as follows:

27 5-52-109. Illegal disbursement of funds by a circuit court or district  
28 court judge.

29 (a)(1) A circuit court or district court judge who knowingly receives  
30 and disburses funds in his or her capacity as a circuit court or district  
31 court judge to a person or entity not authorized by law to receive the  
32 disbursement upon conviction is guilty of a Class A misdemeanor.

33 (2) A second or subsequent violation of this section is a Class  
34 D felony.

1           (b) In addition to a fine under this section, the sentencing court  
2 shall order the circuit court or district court judge to make restitution of  
3 all funds illegally disbursed.  
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5           SECTION 2. Arkansas Code Title 16, Chapter 10, Subchapter 4 is amended  
6 to add a new section read as follows:

7           16-10-139. Judicial prohibition against payments to a public defender  
8 or prosecuting attorney.

9           A judge shall not make payments for services rendered to a public  
10 defender, assistant public defender, prosecuting attorney, or deputy  
11 prosecuting attorney resulting from the exercise of that person's official  
12 duties.

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14 Referred by the Arkansas House of Representatives

15 Prepared by: BPG/VJF  
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