

State of Arkansas

76th General Assembly

Regular Session, 1987 AS ENGROSSED 3/4/87

HOUSE BILL 1757

By: Representatives McCuiston and Stockley

"AN ACT TO PRESCRIBE AN EXPENSE ALLOWANCE OF THE DEPUTY PROSECUTING ATTORNEYS FOR CRITTENDEN COUNTY; AND FOR OTHER PURPOSES."

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

SECTION 1. The Prosecuting Attorney of the Second Circuit-Chancery Court Circuit may appoint one or more Deputy Prosecuting Attorneys for Crittenden County at a combined salary not to exceed thirty-eight thousand dollars (\$38,000) per annum, plus a combined contingent expense allowance in an amount established by the Quorum Court not to exceed twenty-four thousand dollars (\$24,000) per annum. The salaries provided for herein shall be paid by the county court in twelve (12) equal monthly installments from the County General Fund and the expense allowance shall be paid monthly in an amount necessary to provide office rental, telephone expense, postage, printing, office supplies, equipment, stationery, secretarial assistance, automobile operation, and other proper expenses supported by written itemized claims filed by the Deputy Prosecuting Attorney with the County Judge and subject to the approval of the County Judge.

SECTION 2. All fees earned and payable to the Deputy Prosecuting Attorneys in Crittenden County under laws now or hereafter in effect including fees under the Hot Check Law, shall be deposited in the County Treasury and shall be credited to the County General Fund. Expenses actually incurred by the Deputy Prosecuting Attorney or attorneys in Crittenden County in excess of the contingent expense allowance provided for such attorney or attorneys shall be paid upon itemized claims filled by such Deputy or Deputies. The expense and allowances provided in Section 1 shall be in addition to any necessary expense incurred in connection with any proper investigation incident to

violations or alleged violations of the criminal laws or any hearing or trial before a grand jury or any court, including expenses of obtaining evidence and securing attendance of witnesses from within or outside of the State of Arkansas and any unusual travel expenses incurred in connection with the duties of his office, which shall be paid by the County from the County General Revenue Fund upon the filing of a proper claim by the Deputy Prosecuting Attorney or by the person or firm entitled to compensation therefore and having the approval of the Deputy Prosecuting Attorney, the Prosecuting Attorney of the Court in which such matter is pending.

SECTION 3. It is not the purpose of this Act to repeal any laws now or hereafter enacted fixing the fees collectible as prosecuting attorney's fees, but rather to update and make possible a more efficient administration of justice and county government. All courts shall collect the fees heretofore provided by law as Prosecuting Attorney's fees and all such fees collected shall be paid into the County Treasury as required by law regarding funds belonging to the County. It is the explicit legislative intent to provide the salaries and expenses allowances herein set forth without regard to the amount of prosecuting attorney's fees and emoluments earned or collected in the counties affected by this Act. However, nothing in this Act shall be so interpreted as to preclude Crittenden County from paying additional expense allowances than those enumerated herein upon proper action of the appropriate quorum courts.

SECTION 4. The provisions of this Act shall be retroactive to January 1, 1987, and thereafter.

SECTION 5. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 6. EMERGENCY CLAUSE. It is hereby found and determined by the General Assembly that the salaries and contingent expense allowances provided for herein are immediately necessary to provide adequate compensation and allowances for the officers provided for herein to assume the effective and efficient administration of justice in the Second Circuit-Chancery Court Circuit and should be given effect immediately. Therefore, an emergency is

hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval.

/s/ Lloyd McCuiston, et al

