

State of Arkansas

76th General Assembly

Regular Session, 1987

HOUSE BILL 1901

By: Representative Mahony

"AN ACT TO AUTHORIZE THE JUDGE OF THE EIGHTEENTH JUDICIAL CIRCUIT TO EMPLOY A GRAND JURY STENOGRAPHER TO RECORD TESTIMONY BEFORE THE GRAND JURY AND TO TRANSCRIBE THE SAME, WHEN HE DEEMS IT NECESSARY, AND TO PRESCRIBE THE COMPENSATION OF THE STENOGRAPHER; TO PROVIDE THAT THE COMPENSATION OF THE STENOGRAPHER SHALL BE PAID BY THE RESPECTIVE COUNTIES IN THE DISTRICT; AND FOR OTHER PURPOSES."

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

SECTION 1. The judge of the Eighteenth Judicial Circuit is hereby authorized to employ a stenographer to record testimony at grand jury proceedings or such portions thereof as he shall determine, and to transcribe such records at the direction of the judge. The stenographer shall receive such reasonable compensation for services as the judge shall direct, and the same shall be paid by the respective counties in the district. The stenographer so employed by the Circuit shall serve at the pleasure of the judge.

SECTION 2. Any stenographer employed pursuant to the authority granted herein shall be permitted to be present at any hearings or proceedings before the grand jury as the judge may direct, and shall, prior to entering the grand jury room, take an oath of secrecy with respect to any matters transpiring in the grand jury room in the presence of the stenographer.

SECTION 3. The stenographer shall prepare a transcript of testimony given before the grand jury only when directed to do so by the judge.

SECTION 4. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 5. EMERGENCY. It is hereby found and determined by the General Assembly that because of the case *Ricarte v. State*, CR-86-31, a question has arisen over the validity of Act 1178 of the Extended Session of 1976; that this Act is a reenactment of the former law; and that the immediate passage of this Act is necessary to clarify the state of the law on this issue. 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.

