

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**

A Bill

HOUSE BILL 1719

4 **By: Representatives Schexnayder, Gibson and Mahony**

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED §16-87-107 TO
9 PROVIDE FUNDING COORDINATION FOR THE PUBLIC DEFENDER
10 OFFICE BETWEEN COUNTIES OF MULTI-COUNTY JUDICIAL DISTRICT;
11 AND FOR OTHER PURPOSES."

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

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15 SECTION 1. Arkansas Code Annotated §16-87-107 is amended to read as
16 follows:

17 "16-87-107. Office of public defender - Salaries and expenses.

18 (a) The maximum salaries and expenses of the public defender's office
19 in each judicial district shall be established by the commission.

20 (b) The salaries and expenses of the office of public defender in each
21 district shall be paid by the counties in the district in such amounts as may
22 be approved by the respective quorum courts of the counties.

23 (c) In any multi-county judicial district, the public defender
24 commission may designate one (1) county in the district as the 'host' county
25 for the public defender office. The county treasurer of any such designated
26 host county shall act as the fiscal officer for the indigent defense fund and
27 shall receive from the treasurers of all counties in the judicial district
28 funds collected from any case fee assessed under §14-20-102 and any other
29 funds appropriated by counties from the county general funds or other sources
30 for the operation of the public defender office. The quorum court of any such
31 host county shall by ordinance appropriate funds for the annual budget of the
32 district public defender office.

33 (d) Attorneys appointed or employed as public defenders may be:

34 (1) Employees of the host county, or

35 (2) May be independent contractors, at the discretion of the

1 public defender commission and with the concurrence of the quorum court of the
2 host county."

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4 SECTION 2. All provisions of this act of a general and permanent nature
5 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
6 Revision Commission shall incorporate the same in the Code.

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8 SECTION 3. If any provision of this act or the application thereof to
9 any person or circumstance is held invalid, such invalidity shall not affect
10 other provisions or applications of the act which can be given effect without
11 the invalid provision or application, and to this end the provisions of this
12 act are declared to be severable.

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14 SECTION 4. All laws and parts of laws in conflict with this act are
15 hereby repealed.

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17 SECTION 5. *It is hereby found and determined by the General Assembly*
18 *that there is an immediate necessity for funding coordination for the public*
19 *defender office between counties of multi-county judicial districts and that*
20 *this Act so provides. Therefore, an emergency is hereby declared to exist and*
21 *this Act being immediately necessary for the preservation of the public peace,*
22 *health and safety shall be in full force and effect from and after its passage*
23 *and approval.*

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/s/ C. Schexnayder et al

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