

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999

As Engrossed: S3/25/99

# A Bill

SENATE BILL 871

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5 By: Senator Kennedy  
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## For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 16-21-149 TO PERMIT  
10 PROSECUTING ATTORNEYS TO APPOINT AS SPECIAL DEPUTY  
11 PROSECUTING ATTORNEYS PERSONS EMPLOYED AS ATTORNEYS IN  
12 THE OFFICES OF THE PROSECUTOR COORDINATOR AND ATTORNEY  
13 GENERAL; AND FOR OTHER PURPOSES."

## Subtitle

15 "TO PERMIT PROSECUTING ATTORNEYS TO  
16 APPOINT AS SPECIAL DEPUTY PROSECUTING  
17 ATTORNEYS PERSONS EMPLOYED AS ATTORNEYS  
18 IN THE OFFICES OF THE PROSECUTOR  
19 COORDINATOR AND ATTORNEY GENERAL."  
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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 16-21-149 is amended to read as follows:

26 "~~16-21-149. Appointment from Prosecutor Coordinator's Office of Special~~  
27 Deputy Prosecuting Attorneys.

28 ~~Prosecuting attorneys shall have the power to appoint the attorneys of~~  
29 ~~the Prosecutor Coordinator's Office as deputy prosecuting attorneys.~~

30 (a) Notwithstanding any other provision of law, the prosecuting  
31 attorney in every judicial district is authorized to appoint, as special  
32 deputy prosecuting attorneys, persons employed as attorneys in the office of  
33 the Prosecutor Coordinator or, with the consent of the Attorney General,  
34 persons employed as attorneys in the office of the Arkansas Attorney General.  
35 In cases involving the appointment of a staff attorney from the office of the  
36 Attorney General, the authority conferred by the appointment is limited to the

1 matter for which the appointment is sought.

2 (b) Appointment as a special deputy prosecuting attorney under this  
3 section shall not enable an attorney employed in the office of the Arkansas  
4 Attorney General to receive any additional fees or salary from the state or  
5 counties for services provided pursuant to the appointment.

6 (c) The prosecuting attorney may revoke the appointment of a special  
7 prosecuting attorney under this subchapter at any time.

8 (d) Nothing in this section shall obligate the Attorney General to  
9 provide an attorney for purposes of assisting the prosecuting attorney in  
10 criminal actions designated in subsection (b) of this section, and nothing in  
11 this section shall prevent the Attorney General from withdrawing from  
12 participation in such cases at any time."

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

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18 SECTION 3. If any provision of this act or the application thereof to  
19 any person or circumstance is held invalid, such invalidity shall not affect  
20 other provisions or applications of the act which can be given effect without  
21 the invalid provision or application, and to this end the provisions of this  
22 act are declared to be severable.

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

26 /s/ Kennedy  
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