

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001  
4

*As Engrossed: H3/28/01*

## A Bill

SENATE BILL 874

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

9 AN ACT TO AMEND ARKANSAS CODE 19-4-1604 TO  
10 PROVIDE THAT PART-TIME PUBLIC DEFENDERS MAY  
11 RECEIVE COMPENSATION FROM APPELLATE COURTS; AND  
12 FOR OTHER PURPOSES.  
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### Subtitle

14 TO AMEND ARKANSAS CODE 19-4-1604 TO  
15 PROVIDE THAT PART-TIME PUBLIC DEFENDERS  
16 MAY RECEIVE COMPENSATION FROM APPELLATE  
17 COURTS.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code 19-4-1604 is amended to read as follows:  
24 19-4-1604. Salary from two agencies.

25 (a) Except as provided in subsection (b) (1), (2) and (3) of this  
26 section, no person drawing a salary or other compensation from one (1) state  
27 agency shall be paid salary or compensation, other than actual expenses, from  
28 any other agency except upon written certification to and approval by the  
29 Chief Fiscal Officer of the State and by the head of each agency, stating  
30 that:

31 (1) The work performed for the other agency does not interfere  
32 with the proper and required performance of the person's duties; and

33 (2) The combined salary payments from the agencies do not exceed  
34 the larger maximum annual salary of the line-item position authorized for  
35 either agency from which the employee is being paid.

36 (b) (1) This section does not prohibit state employees from contracting

1 to temporarily teach as adjunct faculty at a state-supported institution of  
2 higher education and thereby receive combined salary payments from the two  
3 (2) agencies in excess of the larger maximum annual salary of the line item  
4 position authorized from either agency.

5 (2) This section does not prohibit part-time or job-share public  
6 defenders from receiving compensation from the appellate court for work  
7 performed in connection with an indigent's appeal to the Arkansas Supreme  
8 Court or the Arkansas Court of Appeals.

9 (3) Persons employed as full-time public defenders who are not  
10 provided a state funded secretary, may also seek compensation for appellate  
11 work from the Arkansas Supreme Court or the Arkansas Court of Appeals.

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14 /s/ Everett  
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