

State of Arkansas  
88th General Assembly  
Regular Session, 2011

# A Bill

HOUSE BILL 2146

By: Representative Walker

## For An Act To Be Entitled

AN ACT REGARDING THE ILLEGAL DISBURSEMENT OF FUNDS BY  
A JUDGE; REGARDING THE PROHIBITION AGAINST PAYMENTS  
TO A PUBLIC DEFENDER OR PROSECUTING ATTORNEY; AND FOR  
OTHER PURPOSES.

## Subtitle

REGARDING THE ILLEGAL DISBURSEMENT OF  
FUNDS BY A JUDGE AND REGARDING THE  
PROHIBITION AGAINST PAYMENTS TO A PUBLIC  
DEFENDER OR PROSECUTING ATTORNEY.

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

SECTION 1. Arkansas Code Title 5, Chapter 52, Subchapter 1 is amended  
to add a new section to read as follows:

5-52-109. Illegal disbursement of funds by a circuit court or district  
court judge.

(a)(1) A circuit court or district court judge who knowingly receives  
and disburses funds in his or her capacity as a circuit court or district  
court judge to a person or entity not authorized by law to receive the  
disbursement upon conviction is guilty of a Class A misdemeanor.

(2) A second or subsequent violation of this section is a Class  
D felony.

(b) In addition to a fine under this section, the sentencing court  
shall order the circuit court or district court judge to make restitution of  
all funds illegally disbursed.



1           SECTION 2. Arkansas Code Title 16, Chapter 10, Subchapter 4 is amended  
2 to add a new section read as follows:

3           16-10-139. Judicial prohibition against payments to a public defender  
4 or prosecuting attorney.

5           A judge shall not make payments for services rendered to a public  
6 defender, assistant public defender, prosecuting attorney, or deputy  
7 prosecuting attorney resulting from the exercise of that person's official  
8 duties.