

1 State of Arkansas
2 93rd General Assembly
3 Fiscal Session, 2022
4

A Bill

SENATE BILL 108

5 By: Senator C. Tucker
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR CONTRACTING WITH
9 ATTORNEYS FOR THE DEPUTY PROSECUTING ATTORNEYS FOR
10 THE AUDITOR OF STATE FOR THE FISCAL YEAR ENDING JUNE
11 30, 2023; AND FOR OTHER PURPOSES.
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Subtitle

14 AN ACT FOR THE AUDITOR OF STATE -
15 CONTRACTING WITH ATTORNEYS FOR THE DEPUTY
16 PROSECUTING ATTORNEYS APPROPRIATION FOR
17 THE 2022-2023 FISCAL YEAR.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. APPROPRIATION - CONTRACTING WITH ATTORNEYS. There is hereby
24 appropriated, to the Auditor of State, to be payable from the State Central
25 Services Fund, for contracting with attorneys for the fiscal year ending June
26 30, 2023, the following:
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ITEM	FISCAL YEAR
NO.	2022-2023
(01) CONTRACTING WITH ATTORNEYS	<u>\$3,250,000</u>

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32 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

34 LEGISLATIVE INTENT. (a) The General Assembly recognizes that the normal
35 functioning of the criminal justice system has been severely hampered by the
36 ongoing coronavirus 2019 (COVID-19) pandemic, with court dockets slowed, jury



1 trials suspended, and the basic functions of visiting with witnesses and
2 clients virtually grinding to a halt due to social distancing and masking
3 rules put in place at the beginning of the pandemic.

4 (b) Now, with criminal trials resuming for the time being, the backlog
5 of criminal cases remains, putting undue stress on the state’s prosecutors
6 who are still attempting to resolve the thousands of backlogged cases while
7 contending with the normal influx of new criminal cases.

8 (c)(1) The General Assembly intends for the appropriation provided for
9 under this section to be used for the hiring of additional deputy prosecuting
10 attorneys for a certain and limited period of time in order to help reduce
11 the backlog in criminal cases that currently exists throughout the state.

12 (2) Specifically, it is the intent of the General Assembly that
13 the appropriation provided for under this section be given to the office of
14 the Prosecutor Coordinator for the office to hire, in its discretion, up to
15 forty-five (45) additional attorneys in either a full-time or part-time
16 capacity, subject to lawful terms negotiated by the office, to address the
17 backlog in criminal cases.

18 (3) This section does not create new, permanent positions in the
19 office but rather provides funding for extra help for a limited term to be
20 negotiated by the office in its discretion.

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22 SECTION 3. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
23 authorized by this act shall be limited to the appropriation for such agency
24 and funds made available by law for the support of such appropriations; and
25 the restrictions of the State Procurement Law, the General Accounting and
26 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
27 Procedures and Restrictions Act, or their successors, and other fiscal
28 control laws of this State, where applicable, and regulations promulgated by
29 the Department of Finance and Administration, as authorized by law, shall be
30 strictly complied with in disbursement of said funds.

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32 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General
33 Assembly that any funds disbursed under the authority of the appropriations
34 contained in this act shall be in compliance with the stated reasons for
35 which this act was adopted, as evidenced by the Agency Requests, Executive
36 Recommendations and Legislative Recommendations contained in the budget

1 manuals prepared by the Department of Finance and Administration, letters, or
2 summarized oral testimony in the official minutes of the Arkansas Legislative
3 Council or Joint Budget Committee which relate to its passage and adoption.
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5 SECTION 5. EFFECTIVE DATE. This act is effective on and after July 1,
6 2022.
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