

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

SENATE BILL 259

5 By: Senators D. Wallace, M. Johnson
6 By: Representative Gazaway
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LOCAL FISCAL MANAGEMENT
10 RESPONSIBILITY ACT; TO ALLOW THE LEGISLATIVE JOINT
11 AUDITING COMMITTEE TO REFER INVESTIGATIONS TO THE
12 ATTORNEY GENERAL'S OFFICE; TO REQUIRE REPORTS TO THE
13 LEGISLATIVE JOINT AUDITING COMMITTEE; AND FOR OTHER
14 PURPOSES.
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Subtitle

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18 TO AMEND THE LOCAL FISCAL MANAGEMENT
19 RESPONSIBILITY ACT; AND TO ALLOW THE
20 LEGISLATIVE JOINT AUDITING COMMITTEE TO
21 REFER INVESTIGATIONS TO THE ATTORNEY
22 GENERAL'S OFFICE RECEIVE REPORTS.
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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27 SECTION 1. Arkansas Code § 14-77-106 is amended to read as follows:

28 14-77-106. Investigation by prosecuting attorney and Attorney
29 General's Office.

30 (a) If the executive officer determines that there has been a
31 violation of the fiscal responsibility and management laws, the executive
32 officer may request the appropriate prosecuting attorney to conduct an
33 investigation regarding the violation.

34 (b) The Legislative Joint Auditing Committee may request the
35 appropriate prosecuting attorney and the Attorney General's office to conduct
36 an investigation regarding violations of the fiscal responsibility and



1 management laws documented in the audit report.

2 (c) The prosecuting attorney shall conduct a timely investigation into
3 all matters referred to him under the provisions of this chapter. ~~If the~~
4 ~~prosecuting attorney fails to conduct a timely investigation or file a civil~~
5 ~~suit under the provisions of this chapter, the executive officer or the~~
6 ~~Legislative Joint Auditing Committee may request the Attorney General to~~
7 ~~conduct an investigation into the violations.~~

8 (d) The prosecuting attorney shall report the status of the
9 investigation to the Legislative Joint Auditing Committee within forty-five
10 (45) days from the date of the matter's being referred to him or her by the
11 Legislative Joint Auditing Committee.

12 (e) The prosecuting attorney commits the offense of noncompliance if,
13 after being duly advised of the given facts of a situation that relate to a
14 charge of noncompliance against another public servant, he or she fails or
15 omits to perform the duty of conducting an investigation required of him or
16 her by this section.

17 (f) The Attorney General's office shall provide a report of the status
18 of the investigation to the Legislative Joint Auditing Committee within
19 forty-five (45) days from the date of the matter's being referred to the
20 Attorney General's office by the Legislative Joint Auditing Committee.

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