

State of Arkansas *As Engrossed: S4/9/25 S4/14/25*

95th General Assembly

## A Bill

Regular Session, 2025

SENATE BILL 67

By: Joint Budget Committee

### For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
AND OPERATING EXPENSES FOR THE ARKANSAS PUBLIC  
DEFENDER COMMISSION FOR THE FISCAL YEAR ENDING JUNE  
30, 2026; AND FOR OTHER PURPOSES.

### Subtitle

AN ACT FOR THE ARKANSAS PUBLIC DEFENDER  
COMMISSION APPROPRIATION FOR THE 2025-  
2026 FISCAL YEAR.

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

SECTION 1. REGULAR SALARIES - STATE OPERATIONS. There is hereby  
established for the Arkansas Public Defender Commission - State Operations  
for the 2025-2026 fiscal year, the following maximum number of regular  
employees.

		Maximum Annual
		Salary Rate
Item	Class	Fiscal Year
No.	Code Title	2025-2026
(1)	U082U PUBLIC DEF COMM EXEC DIRECTOR	1 GRADE SE03
(2)	G317C APDC MANAGEMENT ASSOCIATE	1 GRADE SE01
(3)	G334C CHIEF PUBLIC DEFENDER II	9 GRADE GS15
(4)	A014C FISCAL DIVISION MANAGER	1 GRADE GS12
(5)	X222C APDC CHIEF CAPITAL INVESTIGATOR	1 GRADE GS10



1	(6) G336C MITIGATION SPECIALIST II	1	GRADE GS08
2	(7) G335C PD INVESTIGATOR SPECIALIST	1	GRADE GS08
3	(8) G337C PD LEGAL SERVICES SPECIALIST	2	GRADE GS08
4	(9) X056C CAPITAL CONFLICTS INVESTIGATOR	1	GRADE GS07
5	(10) G122C PUBLIC DEFENDER PROGRAM COORDINATOR	1	GRADE GS06
6	(11) C012C PUBLIC DEFENDER SUPT SVCS SPECIALIST	2	GRADE GS05
7	(12) C056C ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE GS04
8	MAX. NO. OF EMPLOYEES	22	

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10 SECTION 2. EXTRA HELP - STATE OPERATIONS. There is hereby authorized,  
 11 for the Arkansas Public Defender Commission - State Operations for the 2025-  
 12 2026 fiscal year, the following maximum number of part-time or temporary  
 13 employees, to be known as "Extra Help", payable from funds appropriated  
 14 herein for such purposes: three (3) temporary or part-time employees, when  
 15 needed, at rates of pay not to exceed those provided in the Uniform  
 16 Classification and Compensation Act, or its successor, or this act for the  
 17 appropriate classification.

18

19 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby  
 20 appropriated, to the Arkansas Public Defender Commission, to be payable from  
 21 the State Central Services Fund, for personal services and operating expenses  
 22 of the Arkansas Public Defender Commission - State Operations for the fiscal  
 23 year ending June 30, 2026, the following:

24

25	ITEM	FISCAL YEAR
26	<u>NO.</u>	<u>2025-2026</u>
27	(01) REGULAR SALARIES	\$2,108,619
28	(02) EXTRA HELP	12,000
29	(03) PERSONAL SERVICES MATCHING	660,900
30	(04) MAINT. & GEN. OPERATION	
31	(A) OPER. EXPENSE	247,648
32	(B) CONF. & TRAVEL	19,690
33	(C) PROF. FEES	925,000
34	(D) CAP. OUTLAY	0
35	(E) DATA PROC.	<u>0</u>
36	TOTAL AMOUNT APPROPRIATED	<u><u>\$3,973,857</u></u>

SECTION 4. REGULAR SALARIES - TRIAL PUBLIC DEFENDER OFFICE. There is hereby established for the Arkansas Public Defender Commission - Trial Public Defender Office for the 2025-2026 fiscal year, the following maximum number of regular employees.

			Maximum Annual
			Salary Rate
			Fiscal Year
Item	Class	No. of	
No.	Code Title	Employees	2025-2026
(1)	G061N SENIOR PUBLIC DEFENDER	8	GRADE SE01
(2)	D007C INFORMATION SYSTEMS MANAGER	1	GRADE IT08
(3)	D039C NETWORK SUPPORT SPECIALIST	1	GRADE IT06
(4)	D079C COMPUTER SUPPORT TECHNICIAN	1	GRADE IT02
(5)	D089C INFORMATION TECHNOLOGY ASSISTANT	1	GRADE IT01
(6)	G334C CHIEF PUBLIC DEFENDER II	35	GRADE GS15
(7)	G008N CHIEF PUBLIC DEFENDER	1	GRADE GS14
(8)	G012N PUBLIC DEFENDER III	182	GRADE GS13
(9)	R013C AGENCY HUMAN RESOURCES MANAGER	1	GRADE GS11
(10)	G338C DRUG COURT CASE COORDINATOR II	1	GRADE GS08
(11)	G336C MITIGATION SPECIALIST II	11	GRADE GS08
(12)	G335C PD INVESTIGATOR SPECIALIST	4	GRADE GS08
(13)	G337C PD LEGAL SERVICES SPECIALIST	5	GRADE GS08
(14)	G194C PUBLIC DEFENDER INTERPRETER II	2	GRADE GS08
(15)	G092C PUBLIC DEFENDER PROGRAM MANAGER	1	GRADE GS08
(16)	R024C ASSISTANT PERSONNEL MANAGER	1	GRADE GS07
(17)	X056C CAPITAL CONFLICTS INVESTIGATOR	2	GRADE GS07
(18)	G179C LEGAL SERVICES SPECIALIST	5	GRADE GS06
(19)	X063C PUBLIC DEFENDER INVESTIGATOR	3	GRADE GS06
(20)	G122C PUBLIC DEFENDER PROGRAM COORDINATOR	2	GRADE GS06
(21)	C012C PUBLIC DEFENDER SUPT SVCS SPECIALIST	1	GRADE GS05
(22)	C046C LEGAL SUPPORT SPECIALIST	47	GRADE GS04
MAX. NO. OF EMPLOYEES		316	

SECTION 5. EXTRA HELP - TRIAL PUBLIC DEFENDER OFFICE. There is hereby authorized, for the Arkansas Public Defender Commission - Trial Public

Defender Office for the 2025-2026 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: three (3) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 6. APPROPRIATION - TRIAL PUBLIC DEFENDER OFFICE. There is hereby appropriated, to the Arkansas Public Defender Commission, to be payable from the State Central Services Fund, for personal services and operating expenses of the Arkansas Public Defender Commission - Trial Public Defender Office for the fiscal year ending June 30, 2026, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2025-2026</u>
(01) REGULAR SALARIES	\$24,735,305
(02) EXTRA HELP	15,000
(03) PERSONAL SERVICES MATCHING	8,358,242
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	659,256
(B) CONF. & TRAVEL	34,000
(C) PROF. FEES	725,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(05) PUBLIC DEFENDER COMMISSION PROGRAMS	770,000
(06) BAIL BOND COUNTY PUBLIC DEFENDER	<u>300,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$35,596,803</u>

SECTION 7. REGULAR SALARIES - OMBUDSMAN PROGRAM. There is hereby established for the Arkansas Public Defender Commission - Ombudsman Program for the 2025-2026 fiscal year, the following maximum number of regular employees.

Item	Class	Maximum No. of	Maximum Annual Salary Rate Fiscal Year
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<u>No.</u>	<u>Code</u>	<u>Title</u>	<u>Employees</u>	<u>2025-2026</u>
(1)	G108C	PUBLIC DEF OMBUDSMAN COORDINATOR	<u>1</u>	GRADE GS08
		MAX. NO. OF EMPLOYEES	1	

SECTION 8. APPROPRIATION - OMBUDSMAN PROGRAM. There is hereby appropriated, to the Arkansas Public Defender Commission, to be payable from the State Central Services Fund, for personal services of the Arkansas Public Defender Commission - Ombudsman Program for the fiscal year ending June 30, 2026, the following:

<u>ITEM</u>	<u>FISCAL YEAR</u>
<u>NO.</u>	<u>2025-2026</u>
(01) REGULAR SALARIES	\$58,972
(02) PERSONAL SERVICES MATCHING	<u>21,519</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$80,491</u></u>

SECTION 9. REGULAR SALARIES - COMMISSION FOR PARENT COUNSEL. There is hereby established for the Arkansas Public Defender Commission - Commission for Parent Counsel for the 2025-2026 fiscal year, the following maximum number of regular employees.

				Maximum Annual	
				Maximum	Salary Rate
Item	Class		No. of	Fiscal Year	
No.	Code	Title	Employees	2025-2026	
(1)	G296C	EXECUTIVE DIRECTOR PARENT COUNSEL	1	GRADE GS15	
(2)	G025C	ATTORNEY SUPERVISOR	2	GRADE GS12	
(3)	G047C	ATTORNEY SPECIALIST	1	GRADE GS11	
(4)	G297C	EXECUTIVE ASSISTANT PARENT COUNSEL	1	GRADE GS06	
(5)	G179C	LEGAL SERVICES SPECIALIST	1	GRADE GS06	
(6)	C046C	LEGAL SUPPORT SPECIALIST	<u>1</u>	GRADE GS04	
	MAX. NO. OF EMPLOYEES		7		

SECTION 10. EXTRA HELP - COMMISSION FOR PARENT COUNSEL. There is hereby authorized, for the Arkansas Public Defender Commission - Commission for Parent Counsel for the 2025-2026 fiscal year, the following maximum

number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: fourteen (14) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 11. APPROPRIATION - COMMISSION FOR PARENT COUNSEL. There is hereby appropriated, to the Arkansas Public Defender Commission, to be payable from the State Central Services Fund, for personal services, operating expenses and parent counsel refunds/reimbursements of the Commission for Parent Counsel for the fiscal year ending June 30, 2026, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2025-2026</u>
(01) REGULAR SALARIES	\$535,172
(02) EXTRA HELP	280,000
(03) PERSONAL SERVICES MATCHING	200,522
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	50,000
(B) CONF. & TRAVEL	10,000
(C) PROF. FEES	75,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(05) PARENT COUNSEL REIMBURSEMENTS	<u>3,630,231</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$4,780,925</u></u>

SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

INDIGENT PARENT COUNSEL REPRESENTATION. The Commission for Parent Counsel shall have the authority to use the appropriation provided in line item Parent Counsel Reimbursements of the Parent Counsel Program appropriation herein for the purpose of entering into independent professional service contracts on a full-time or part-time basis with attorneys who are qualified to provide counsel for indigent parents in dependency-neglect cases.

The provisions of this section shall be in effect only from July 1, ~~2024~~

1 2025 through June 30, ~~2025~~ 2026.

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3 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
5 TRANSFER PROVISION – LINE ITEMS - COMMISSION FOR PARENT COUNSEL. After  
6 receiving approval from the Chief Fiscal Officer of the State and prior  
7 review by the Arkansas Legislative Council or Joint Budget Committee, the  
8 Director of the Arkansas Public Defender Commission is authorized to transfer  
9 appropriation, with the exception of Personal Services Matching, between the  
10 line items authorized herein for the Commission for Parent Counsel, to best  
11 utilize resources to meet the needs of the Parent Counsel's clientele.

12 The provisions of this section shall be in effect only from July 1, ~~2024~~  
13 2025 through June 30, ~~2025~~ 2026.

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15 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
17 EXTRA HELP EXEMPTION - COMMISSION FOR PARENT COUNSEL. Extra Help positions  
18 authorized herein for the Commission for Parent Counsel are specifically  
19 exempt from limitation of hours. Employees currently working on a part-time  
20 basis may be utilized concurrently as Extra Help within the agency. The  
21 total amount of compensation for part-time and Extra Help work combined  
22 cannot exceed the maximum compensation allowed for a grade GS11 as authorized  
23 in the Uniform Classification and Compensation Act. Flexibility is needed to  
24 allow for non-traditional work schedules that may be necessary to accommodate  
25 the schedule of the individual being represented. Attorneys utilized as  
26 Extra Help employees are not prevented from having other employment.

27 The provisions of this section shall be in effect only from July 1, ~~2024~~  
28 2025 through June 30, ~~2025~~ 2026.

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30 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
32 TRANSFER PROVISION. If the Public Defender Commission should determine that  
33 the appropriations made available for payments to the Counties are  
34 insufficient, appropriation may be transferred from the Public Defender  
35 Commission Program line item to the Bail Bond-County Public Defender line  
36 item, after receiving approval of the Chief Fiscal Officer of the State.

1 The provisions of this section shall be in effect only from July 1, 2024  
2 2025 through June 30, ~~2025~~ 2026.

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4 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

6 PUBLIC DEFENDERS. (a) No funds appropriated herein shall be used for  
7 expenses in cases where a defendant is represented by retained counsel where  
8 retained counsel have not gone through the Public Defender Commission's  
9 attorney certification procedure and designation process as established by  
10 state law and the Commission's regulations. All defendants and retained  
11 attorneys must strictly adhere to the procedure established by the Commission  
12 to equitably and responsibly monitor and distribute State funds for this  
13 purpose.

14 (b) The Public Defender Commission may approve exemptions to subsection  
15 (a) as needed. Reasons for granting exemption should be specified in writing.

16 The provisions of this section shall be in effect only from July 1, 2024  
17 2025 through June 30, ~~2025~~ 2026.

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19 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

21 MAXIMUM SALARY. In order to maintain equity between the prosecutors and  
22 public defenders, the following classifications are authorized to be paid up  
23 to the maximum salary of their grade as determined by the Public Defender  
24 Commission after approval by the Office of Personnel Management:

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- |    |                               |       |
|----|-------------------------------|-------|
| 26 | 1. Chief Public Defender      | G008N |
| 27 | 2. Public Defender III        | G012N |
| 28 | 3. Public Defender II         | G022N |
| 29 | 4. Public Defender I          | G025N |
| 30 | 5. Public Defender Attorney I | G065C |
| 31 | 6. Attorney Supervisor        | G025C |
| 32 | 7. Attorney Specialist        | G047C |

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34 The Office of Personnel Management shall file a report of all salary changes  
35 established pursuant to this section with the Legislative Council or, if the  
36 General Assembly is in session, the Joint Budget Committee, at the next



1 regularly scheduled meeting following the approval.

2 The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025  
3 through June 30, ~~2025~~ 2026.

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5 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA  
7 HELP EXEMPTION. The Arkansas Public Defender Commission may utilize their  
8 authorized extra help positions up to a maximum of one thousand eight hundred  
9 (1,800) hours. The rates of pay may not exceed those provided in the Uniform  
10 Classification Act or its successor, for the appropriate classification.

11 The provisions of this section shall be in effect only from July 1,  
12 ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

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14 SECTION 19. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
15 authorized by this act shall be limited to the appropriation for such agency  
16 and funds made available by law for the support of such appropriations; and  
17 the restrictions of the State Procurement Law, the General Accounting and  
18 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
19 Procedures and Restrictions Act, or their successors, and other fiscal  
20 control laws of this State, where applicable, and regulations promulgated by  
21 the Department of Finance and Administration, as authorized by law, shall be  
22 strictly complied with in disbursement of said funds.

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24 SECTION 20. LEGISLATIVE INTENT. It is the intent of the General  
25 Assembly that any funds disbursed under the authority of the appropriations  
26 contained in this act shall be in compliance with the stated reasons for  
27 which this act was adopted, as evidenced by the Agency Requests, Executive  
28 Recommendations and Legislative Recommendations contained in the budget  
29 manuals prepared by the Department of Finance and Administration, letters, or  
30 summarized oral testimony in the official minutes of the Arkansas Legislative  
31 Council or Joint Budget Committee which relate to its passage and adoption.

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33 SECTION 21. EMERGENCY CLAUSE. It is found and determined by the  
34 General Assembly, that the Constitution of the State of Arkansas prohibits  
35 the appropriation of funds for more than a one (1) year period; that the  
36 effectiveness of this Act on July 1, 2025 is essential to the operation of

1 the agency for which the appropriations in this Act are provided, and that in  
2 the event of an extension of the legislative session, the delay in the  
3 effective date of this Act beyond July 1, 2025 could work irreparable harm  
4 upon the proper administration and provision of essential governmental  
5 programs. Therefore, an emergency is hereby declared to exist and this Act  
6 being necessary for the immediate preservation of the public peace, health  
7 and safety shall be in full force and effect from and after July 1, 2025.

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9 */s/Joint Budget Committee*  
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