

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

SENATE BILL 363

By: Senator D. Wallace
By: Representative Gazaway

For An Act To Be Entitled

AN ACT TO AMEND ARKANSAS LAW CONCERNING REPORTS OF
IMPROPER OR ILLEGAL PRACTICES; AND FOR OTHER
PURPOSES.

Subtitle

TO AMEND ARKANSAS LAW CONCERNING REPORTS
OF IMPROPER OR ILLEGAL PRACTICES.

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

SECTION 1. Arkansas Code § 10-4-419(a)-(c), concerning reports of improper or illegal practices, are amended to read as follows:

(a)(1) If an audit report presented to the Legislative Joint Auditing Committee or the appropriate standing subcommittee of the Legislative Joint Auditing Committee reflects evidence of improper practices of financial administration or inadequacy of fiscal records, the Legislative Auditor shall report the evidence to the appropriate executive official or officials affected thereby and to the governing body of the entity of the state or political subdivision of the state.

(2) If the findings relate to an entity of the state, the Legislative Auditor shall also report the findings to the Chief Fiscal Officer of the State and the Attorney General.

(3) If the findings relate to a prosecuting attorney's office, the Legislative Auditor shall also report the findings to the Attorney General for review and appropriate action.

(b)(1) If an audit report presented to the Legislative Joint Auditing



Committee or the appropriate standing subcommittee of the Legislative Joint Auditing Committee reflects evidence of apparent unauthorized disbursements or unaccounted-for funds or property by a public official or employee, the Legislative Auditor shall promptly report the transactions in writing to the prosecuting attorney for the county in which the entity of the state or the political subdivision of the state is located, the Governor, the Attorney General, the appropriate executive official or officials affected thereby, and the governing body of the entity of the state or political subdivision of the state.

(2) If the findings relate to an entity of the state, the Legislative Auditor shall also report the findings to the Chief Fiscal Officer of the State.

~~(3) If the findings relate to a prosecuting attorney's office, the Legislative Auditor shall also report the same to the Attorney General for review and appropriate action.~~

(c)(1) The Legislative Auditor shall notify and cooperate with the appropriate prosecuting attorney and the Attorney General on all matters that appear to involve a criminal offense.

(2) Upon request and with the approval of the cochairs of the Legislative Joint Auditing Committee, the Legislative Auditor shall cooperate in any other investigations by the appropriate prosecuting attorney, the Attorney General, the Division of Arkansas State Police, or any other state or federal law enforcement agency.

APPROVED: 4/11/23