

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
91st General Assembly  
Regular Session, 2017

# A Bill

HOUSE BILL 1777

By: Representative Richey

## For An Act To Be Entitled

CONCERNING THE FUNDING OF EXPENSES AND EMPLOYEES OF  
THE PHILLIPS COUNTY PROSECUTING ATTORNEY IN THE FIRST  
JUDICIAL DISTRICT; AND FOR OTHER PURPOSES.

## Subtitle

CONCERNING THE FUNDING OF EXPENSES AND  
EMPLOYEES OF THE PHILLIPS COUNTY  
PROSECUTING ATTORNEY IN THE FIRST  
JUDICIAL DISTRICT.

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

SECTION 1. Arkansas Code Title 16, Chapter 21, Subchapter 6, is amended to add an additional section to read as follows:

16-21-602. Funding of expenses and employees.

(a) As used in this section:

(1)(A) "Employee and assistant expenses" includes without limitation the following expenses and related expenses with respect to employees and assistants of the Prosecuting Attorney of the First Judicial District and deputy prosecuting attorneys:

(i) Salaries and benefits;

(ii) Social Security;

(iii) Matching;

(iv) Retirement;

(v) Health insurance;

(vi) Other employee and assistant expenses

determined by the prosecuting attorney to be a proper employee and assistant



expense.

(B) "Employee and assistant expenses" does not include salaries and benefits for deputy prosecuting attorneys;

(2) "Investigative expenses" means necessary expenses in connection with an investigation incident to a criminal law violation or trial before a court within the First Judicial District that is within the duties of the prosecuting attorney's office; and

(3) "Office expenses" includes without limitation the cost of:

(A) Facilities, equipment, maintenance and operation, service contracts, capital outlay, telephones, copy machines, computers, and printers;

(B) Office supplies, postage, and copying;

(C) Contract labor;

(D) Travel;

(E) The Arkansas Code Annotated and Arkansas Model Jury Instructions; and

(F) Other office expenses determined by the prosecuting attorney to be a proper office expense.

(b) Through an annual appropriation at sufficient level for operation, each county within the district shall provide at the county's expense the office expenses, investigative expenses, and employee and assistant expenses of the prosecuting attorney and deputy prosecuting attorneys.

SECTION 2. Arkansas Code Title 16, Chapter 21, Subchapter 6, is amended to add an additional section to read as follows:

16-21-603. Phillips County Prosecuting Attorney expenses.

(a) Through an annual appropriation at sufficient level for operation, Phillips County shall provide at the county's expense the office expenses under § 16-21-602(a) in such amount of no less less than thirty-five thousand dollars (\$35,000) per year as appropriated by the quorum court and approved by the county judge.

(b)(1) The office expenses under § 16-21-602(a) shall be paid in equal monthly installments from the county general fund, and the checks shall be made payable to the office of the Prosecuting Attorney of the First Judicial District or as directed by the prosecuting attorney.

(2) Disbursements shall be made by the prosecuting attorney for

the necessary expenses of the office based upon adequate documentation.

(c) The prosecuting attorney may also be allowed additional office expenses upon appropriation of the quorum court and approval of the county judge.

(d)(1) In addition to office expenses, the prosecuting attorney shall be entitled to one (1) secretary and administrative assistant, whose salary shall not be less than twenty-eight thousand dollars (\$28,000) per year.

(2) The salary, Social Security, matching, retirement, health insurance, and all related salary expenses of the secretary and administrative assistant shall be paid by Phillips County in accordance with the pay periods and payroll policy of Phillips County.

(e) This section does not prohibit the quorum court in Phillips County from appropriating additional positions, salaries, or expenses greater than the amounts mandated in this section.

(f) The prosecuting attorney shall be allowed additional assistants and employees in Phillips County upon appropriation of the quorum court and approval of the county judge.

(g) The expenses required to be paid by this section are specifically declared to be separate and distinct from the responsibility of Phillips County to pay the contingent expense allowance of the prosecuting attorney as provided in §§ 16-21-601 and 16-21-119(b)(5)(A), and as otherwise provided by law.