

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

SENATE BILL 520

By: Senator Maloch

For An Act To Be Entitled

AN ACT CONCERNING SETTLEMENT AGREEMENTS NEGOTIATED BY
OUTSIDE COUNSEL ON BEHALF OF THE STATE; TO PROVIDE
FOR OVERSIGHT OF CERTAIN SETTLEMENT AGREEMENTS
ENTERED INTO BY THE STATE; AND FOR OTHER PURPOSES.

Subtitle

TO PROVIDE FOR OVERSIGHT OF CERTAIN
SETTLEMENT AGREEMENTS NEGOTIATED BY
OUTSIDE COUNSEL ON BEHALF OF THE STATE.

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

SECTION 1. Arkansas Code § 25-16-702, concerning the Attorney General's representation of state agencies and officers and the employment of outside counsel, is amended to add an additional subsection to read as follows:

(f)(1)(A) As used in this subdivision (f)(1), "state officer or entity" means:

(i) The Lieutenant Governor;

(ii) The Secretary of State;

(iii) The Treasurer of State;

(iv) The Attorney General;

(v) The Commissioner of State Lands;

(vi) The Auditor of State;

Department;

(vii) The Arkansas State Highway and Transportation

(viii) The Arkansas State Game and Fish Commission;



and

(ix) An agency, commission, board, bureau, office, or other state instrumentality created within the executive branch.

(B) Before the execution of a settlement agreement negotiated by outside legal counsel employed by a state officer or entity under § 21-9-203(b), subdivision (b)(2) of this section, or subsection (c) of this section, the settlement agreement shall be:

(i) Approved by the Governor; and

(ii) Submitted to the Litigation Reports Oversight Subcommittee of the Legislative Council for review.

(2) Before the execution of a settlement agreement negotiated by outside legal counsel employed by the Bureau of Legislative Research or Arkansas Legislative Audit under § 21-9-203(b), subdivision (b)(2) of this section, or subsection (c) of this section, the settlement agreement shall be submitted to the Litigation Reports Oversight Subcommittee of the Legislative Council for review.