

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

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

SENATE BILL 259

By: Senators D. Wallace, M. Johnson

By: Representative Gazaway

For An Act To Be Entitled

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

Subtitle

TO AMEND THE LOCAL FISCAL MANAGEMENT RESPONSIBILITY ACT; AND TO ALLOW THE LEGISLATIVE JOINT AUDITING COMMITTEE TO REFER INVESTIGATIONS TO THE ATTORNEY GENERAL'S OFFICE RECEIVE REPORTS.

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

SECTION 1. Arkansas Code § 14-77-106 is amended to read as follows:

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

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

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



management laws documented in the audit report.

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

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

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

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