

State of Arkansas
95th General Assembly
Fiscal Session, 2026

A Bill

SENATE BILL 52

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, 2027; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE ARKANSAS PUBLIC DEFENDER
COMMISSION APPROPRIATION FOR THE 2026-
2027 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 2026-2027 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2026-2027
(1)	EEX34A	PUBLIC DEFENDER DIRECTOR	1	GRADE EXE02
(2)	LPD02C	CHIEF PUBLIC DEFENDER II	1	GRADE SPC10
(3)	LPD01C	CHIEF PUBLIC DEFENDER I	9	GRADE SPC09
(4)	FFS05P	FISCAL SUPPORT SUPERVISOR/EXPERT	1	GRADE SGS07
(5)	IIV05P	INVESTIGATOR SUPERVISOR/EXPERT	2	GRADE SGS07



(6) ILS03I LEGAL SUPPORT SPECIALIST	4	GRADE SGS06
(7) PAS01P ADMINISTRATIVE ANALYST	2	GRADE SGS05
(8) IIV03P INVESTIGATOR II	<u>2</u>	GRADE SGS05
MAX. NO. OF EMPLOYEES	22	

SECTION 2. EXTRA HELP - STATE OPERATIONS. There is hereby authorized, for the Arkansas Public Defender Commission - State Operations for the 2026-2027 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 3. APPROPRIATION - STATE OPERATIONS. 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 - State Operations for the fiscal year ending June 30, 2027, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2026-2027</u>
(01) REGULAR SALARIES	\$2,110,019
(02) EXTRA HELP	12,000
(03) PERSONAL SERVICES MATCHING	661,223
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	247,648
(B) CONF. & TRAVEL	19,690
(C) PROF. FEES	925,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$3,975,580</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 2026-2027 fiscal year, the following maximum number

of regular employees.

Item No.	Class Code	Title	Maximum	Maximum Annual
			No. of Employees	Salary Rate Fiscal Year 2026-2027
(1)	LPD02C	CHIEF PUBLIC DEFENDER II	6	GRADE SPC10
(2)	LPD01C	CHIEF PUBLIC DEFENDER I	20	GRADE SPC09
(3)	LPD05P	PUBLIC DEFENDER III	106	GRADE SPC08
(4)	LPD04P	PUBLIC DEFENDER II	60	GRADE SPC05
(5)	HDH06C	HR MANAGER	1	GRADE SPC04
(6)	LPD03P	PUBLIC DEFENDER I	34	GRADE SPC03
(7)	CPR04I	INTERPRETER	1	GRADE SGS07
(8)	HDH05P	HR COORDINATOR	1	GRADE SGS07
(9)	IIV05P	INVESTIGATOR SUPERVISOR/EXPERT	8	GRADE SGS07
(10)	IIV06P	MITIGATION INVESTIGATOR	11	GRADE SGS07
(11)	PAS04C	ADMINISTRATIVE SUPERVISOR	2	GRADE SGS06
(12)	ILS03I	LEGAL SUPPORT SPECIALIST	54	GRADE SGS06
(13)	FFS02P	FISCAL SUPPORT COORDINATOR	2	GRADE SGS06
(14)	PAS01P	ADMINISTRATIVE ANALYST	3	GRADE SGS05
(15)	PAS02P	ADMINISTRATIVE COORDINATOR	3	GRADE SGS04
(16)	IIS10C	IT INFRASTRUCTURE SUPERVISOR/EXPERT	1	GRADE IST10
(17)	IIE02P	IT SECURITY ANALYST I	1	GRADE IST06
(18)	IUS04P	USER SUPPORT SPECIALIST	<u>2</u>	GRADE IST02
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 2026-2027 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, 2027, the following:

ITEM NO.	FISCAL YEAR 2026-2027
(01) REGULAR SALARIES	\$24,748,805
(02) EXTRA HELP	15,000
(03) PERSONAL SERVICES MATCHING	8,361,355
(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>\$35,613,416</u>

SECTION 7. REGULAR SALARIES - COMMISSION FOR PARENT COUNSEL. There is hereby established for the Arkansas Public Defender Commission - Commission for Parent Counsel for the 2026-2027 fiscal year, the following maximum number of regular employees.

Item No.	Class Code Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2026-2027
(1)	LAT05P ATTORNEY III	2	GRADE SPC08
(2)	LAT04P ATTORNEY II	1	GRADE SPC05
(3)	ILS03I LEGAL SUPPORT SPECIALIST	2	GRADE SGS06
(4)	PAS01P ADMINISTRATIVE ANALYST	1	GRADE SGS05
(5)	LAT06C ATTORNEY IV	<u>1</u>	GRADE SPC09
	MAX. NO. OF EMPLOYEES	7	

SECTION 8. EXTRA HELP - COMMISSION FOR PARENT COUNSEL. There is hereby authorized, for the Arkansas Public Defender Commission - Commission for Parent Counsel for the 2026-2027 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 9. 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, 2027, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2026-2027</u>
(01) REGULAR SALARIES	\$535,172
(02) EXTRA HELP	280,000
(03) PERSONAL SERVICES MATCHING	200,523
(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>\$4,780,926</u></u>

SECTION 10. 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, ~~2025~~ 2026 through June 30, ~~2026~~ 2027.

SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

TRANSFER PROVISION – LINE ITEMS - COMMISSION FOR PARENT COUNSEL. After receiving approval from the Chief Fiscal Officer of the State and prior review by the Arkansas Legislative Council or Joint Budget Committee, the Director of the Arkansas Public Defender Commission is authorized to transfer appropriation, with the exception of Personal Services Matching, between the line items authorized herein for the Commission for Parent Counsel, to best utilize resources to meet the needs of the Parent Counsel's clientele.

The provisions of this section shall be in effect only from July 1, ~~2025~~ 2026 through June 30, ~~2026~~ 2027.

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

EXTRA HELP EXEMPTION - COMMISSION FOR PARENT COUNSEL. Extra Help positions authorized herein for the Commission for Parent Counsel are specifically exempt from limitation of hours. Employees currently working on a part-time basis may be utilized concurrently as Extra Help within the agency. The total amount of compensation for part-time and Extra Help work combined cannot exceed the maximum compensation allowed for a grade SPC05 as authorized in the Uniform Classification and Compensation Act. Flexibility is needed to allow for non-traditional work schedules that may be necessary to accommodate the schedule of the individual being represented. Attorneys utilized as Extra Help employees are not prevented from having other employment.

The provisions of this section shall be in effect only from July 1, ~~2025~~ 2026 through June 30, ~~2026~~ 2027.

SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

TRANSFER PROVISION. If the Public Defender Commission should determine that

the appropriations made available for payments to the Counties are insufficient, appropriation may be transferred from the Public Defender Commission Program line item to the Bail Bond-County Public Defender line item, after receiving approval of the Chief Fiscal Officer of the State.

The provisions of this section shall be in effect only from July 1, ~~2025~~ 2026 through June 30, ~~2026~~ 2027.

SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

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

The provisions of this section shall be in effect only from July 1, ~~2025~~ 2026 through June 30, ~~2026~~ 2027.

SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

- 1. LPD02C CHIEF PUBLIC DEFENDER II SPC10
- 2. LPD01C CHIEF PUBLIC DEFENDER I SPC09
- 3. LPD05P PUBLIC DEFENDER III SPC08
- 4. LPD04P PUBLIC DEFENDER II SPC05
- 5. LPD03P PUBLIC DEFENDER I SPC03
- 6. LAT06C ATTORNEY IV SPC09
- 7. LAT05P ATTORNEY III SPC08

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|-----------------------|-------|
| 8. LAT04P ATTORNEY II | SPC05 |
| 9. LAT03P ATTORNEY I | SPC03 |

The Office of Personnel Management shall file a report of all salary changes established pursuant to this section with the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee, at the next regularly scheduled meeting following the approval.

The provisions of this section shall be in effect only from July 1, ~~2025~~ 2026 through June 30, ~~2026~~ 2027.

SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA HELP EXEMPTION. The Arkansas Public Defender Commission may utilize their authorized extra help positions up to a maximum of one thousand eight hundred (1,800) hours. The rates of pay may not exceed those provided in the Uniform Classification Act or its successor, for the appropriate classification.

The provisions of this section shall be in effect only from July 1, ~~2025~~ 2026 through June 30, ~~2026~~ 2027.

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

SECTION 18. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative

Council or Joint Budget Committee which relate to its passage and adoption.

SECTION 19. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2026 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2026 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2026.