

1 State of Arkansas
2 95th General Assembly
3 Fiscal Session, 2026
4

As Engrossed: S4/15/26

A Bill

SENATE BILL 52

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
10 AND OPERATING EXPENSES FOR THE ARKANSAS PUBLIC
11 DEFENDER COMMISSION FOR THE FISCAL YEAR ENDING JUNE
12 30, 2027; AND FOR OTHER PURPOSES.
13
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Subtitle

15 AN ACT FOR THE ARKANSAS PUBLIC DEFENDER
16 COMMISSION APPROPRIATION FOR THE 2026-
17 2027 FISCAL YEAR.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REGULAR SALARIES - STATE OPERATIONS. There is hereby
24 established for the Arkansas Public Defender Commission - State Operations
25 for the 2026-2027 fiscal year, the following maximum number of regular
26 employees.
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2026-2027
32	(1) EEX34A	PUBLIC DEFENDER DIRECTOR	1	GRADE EXE02
33	(2) LPD02C	CHIEF PUBLIC DEFENDER II	1	GRADE SPC10
34	(3) LPD01C	CHIEF PUBLIC DEFENDER I	9	GRADE SPC09
35	(4) FFS05P	FISCAL SUPPORT SUPERVISOR/EXPERT	1	GRADE SGS07
36	(5) IIV05P	INVESTIGATOR SUPERVISOR/EXPERT	2	GRADE SGS07



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

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6 SECTION 2. EXTRA HELP - STATE OPERATIONS. There is hereby authorized,
 7 for the Arkansas Public Defender Commission - State Operations for the 2026-
 8 2027 fiscal year, the following maximum number of part-time or temporary
 9 employees, to be known as "Extra Help", payable from funds appropriated
 10 herein for such purposes: three (3) temporary or part-time employees, when
 11 needed, at rates of pay not to exceed those provided in the Uniform
 12 Classification and Compensation Act, or its successor, or this act for the
 13 appropriate classification.

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15 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby
 16 appropriated, to the Arkansas Public Defender Commission, to be payable from
 17 the State Central Services Fund, for personal services and operating expenses
 18 of the Arkansas Public Defender Commission - State Operations for the fiscal
 19 year ending June 30, 2027, the following:

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21	ITEM	FISCAL YEAR
22	<u>NO.</u>	<u>2026-2027</u>
23	(01) REGULAR SALARIES	\$2,110,019
24	(02) EXTRA HELP	12,000
25	(03) PERSONAL SERVICES MATCHING	661,223
26	(04) MAINT. & GEN. OPERATION	
27	(A) OPER. EXPENSE	247,648
28	(B) CONF. & TRAVEL	19,690
29	(C) PROF. FEES	925,000
30	(D) CAP. OUTLAY	0
31	(E) DATA PROC.	<u>0</u>
32	TOTAL AMOUNT APPROPRIATED	<u>\$3,975,580</u>

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34 SECTION 4. REGULAR SALARIES - TRIAL PUBLIC DEFENDER OFFICE. There is
 35 hereby established for the Arkansas Public Defender Commission - Trial Public
 36 Defender Office for the 2026-2027 fiscal year, the following maximum number

1 of regular employees.

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			Maximum	Maximum Annual
			No. of	Salary Rate
Item	Class	Title	Employees	Fiscal Year
No.	Code	Title	Employees	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	

27 SECTION 5. EXTRA HELP - TRIAL PUBLIC DEFENDER OFFICE. There is hereby
 28 authorized, for the Arkansas Public Defender Commission - Trial Public
 29 Defender Office for the 2026-2027 fiscal year, the following maximum number
 30 of part-time or temporary employees, to be known as "Extra Help", payable
 31 from funds appropriated herein for such purposes: three (3) temporary or
 32 part-time employees, when needed, at rates of pay not to exceed those
 33 provided in the Uniform Classification and Compensation Act, or its
 34 successor, or this act for the appropriate classification.

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 36 SECTION 6. APPROPRIATION - TRIAL PUBLIC DEFENDER OFFICE. There is

1 hereby appropriated, to the Arkansas Public Defender Commission, to be
 2 payable from the State Central Services Fund, for personal services and
 3 operating expenses of the Arkansas Public Defender Commission - Trial Public
 4 Defender Office for the fiscal year ending June 30, 2027, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2026-2027</u>
8 (01) REGULAR SALARIES	\$24,748,805
9 (02) EXTRA HELP	15,000
10 (03) PERSONAL SERVICES MATCHING	8,361,355
11 (04) MAINT. & GEN. OPERATION	
12 (A) OPER. EXPENSE	678,256
13 (B) CONF. & TRAVEL	34,000
14 (C) PROF. FEES	725,000
15 (D) CAP. OUTLAY	0
16 (E) DATA PROC.	0
17 (05) PUBLIC DEFENDER COMMISSION PROGRAMS	770,000
18 (06) BAIL BOND COUNTY PUBLIC DEFENDER	<u>300,000</u>
19 TOTAL AMOUNT APPROPRIATED	<u>\$35,632,416</u>

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

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

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1 SECTION 8. EXTRA HELP - COMMISSION FOR PARENT COUNSEL. There is hereby
 2 authorized, for the Arkansas Public Defender Commission - Commission for
 3 Parent Counsel for the 2026-2027 fiscal year, the following maximum number of
 4 part-time or temporary employees, to be known as "Extra Help", payable from
 5 funds appropriated herein for such purposes: fourteen (14) temporary or part-
 6 time employees, when needed, at rates of pay not to exceed those provided in
 7 the Uniform Classification and Compensation Act, or its successor, or this
 8 act for the appropriate classification.

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 10 SECTION 9. APPROPRIATION - COMMISSION FOR PARENT COUNSEL. There is
 11 hereby appropriated, to the Arkansas Public Defender Commission, to be
 12 payable from the State Central Services Fund, for personal services,
 13 operating expenses and parent counsel refunds/reimbursements of the
 14 Commission for Parent Counsel for the fiscal year ending June 30, 2027, the
 15 following:

17 ITEM	FISCAL YEAR
18 <u>NO.</u>	<u>2026-2027</u>
19 (01) REGULAR SALARIES	\$535,172
20 (02) EXTRA HELP	280,000
21 (03) PERSONAL SERVICES MATCHING	200,523
22 (04) MAINT. & GEN. OPERATION	
23 (A) OPER. EXPENSE	50,000
24 (B) CONF. & TRAVEL	10,000
25 (C) PROF. FEES	75,000
26 (D) CAP. OUTLAY	0
27 (E) DATA PROC.	0
28 (05) PARENT COUNSEL REIMBURSEMENTS	<u>3,630,231</u>
29 TOTAL AMOUNT APPROPRIATED	<u><u>\$4,780,926</u></u>

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 31 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 33 INDIGENT PARENT COUNSEL REPRESENTATION. The Commission for Parent Counsel
 34 shall have the authority to use the appropriation provided in line item
 35 Parent Counsel Reimbursements of the Parent Counsel Program appropriation
 36 herein for the purpose of entering into independent professional service

1 contracts on a full-time or part-time basis with attorneys who are qualified
2 to provide counsel for indigent parents in dependency-neglect cases.

3 The provisions of this section shall be in effect only from July 1, ~~2025~~
4 2026 through June 30, ~~2026~~ 2027.

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6 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
8 TRANSFER PROVISION – LINE ITEMS - COMMISSION FOR PARENT COUNSEL. After
9 receiving approval from the Chief Fiscal Officer of the State and prior
10 review by the Arkansas Legislative Council or Joint Budget Committee, the
11 Director of the Arkansas Public Defender Commission is authorized to transfer
12 appropriation, with the exception of Personal Services Matching, between the
13 line items authorized herein for the Commission for Parent Counsel, to best
14 utilize resources to meet the needs of the Parent Counsel's clientele.

15 The provisions of this section shall be in effect only from July 1, ~~2025~~
16 2026 through June 30, ~~2026~~ 2027.

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18 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
20 EXTRA HELP EXEMPTION - COMMISSION FOR PARENT COUNSEL. Extra Help positions
21 authorized herein for the Commission for Parent Counsel are specifically
22 exempt from limitation of hours. Employees currently working on a part-time
23 basis may be utilized concurrently as Extra Help within the agency. The
24 total amount of compensation for part-time and Extra Help work combined
25 cannot exceed the maximum compensation allowed for a grade SPC05 as
26 authorized in the Uniform Classification and Compensation Act. Flexibility
27 is needed to allow for non-traditional work schedules that may be necessary
28 to accommodate the schedule of the individual being represented. Attorneys
29 utilized as Extra Help employees are not prevented from having other
30 employment.

31 The provisions of this section shall be in effect only from July 1, ~~2025~~
32 2026 through June 30, ~~2026~~ 2027.

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34 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
36 TRANSFER PROVISION. If the Public Defender Commission should determine that

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

5 The provisions of this section shall be in effect only from July 1, ~~2025~~
6 2026 through June 30, ~~2026~~ 2027.

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

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

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

20 The provisions of this section shall be in effect only from July 1, ~~2025~~
21 2026 through June 30, ~~2026~~ 2027.

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

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

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

1 8. LAT04P ATTORNEY II SPC05
2 9. LAT03P ATTORNEY I SPC03

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

8 The provisions of this section shall be in effect only from July 1, ~~2025~~
9 2026 through June 30, ~~2026~~ 2027.

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11 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
13 HELP EXEMPTION. The Arkansas Public Defender Commission may utilize their
14 authorized extra help positions up to a maximum of one thousand eight hundred
15 (1,800) hours. The rates of pay may not exceed those provided in the Uniform
16 Classification Act or its successor, for the appropriate classification.

17 The provisions of this section shall be in effect only from July 1, ~~2025~~
18 2026 through June 30, ~~2026~~ 2027.

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

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

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

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

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15 */s/ Joint Budget Committee*
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