



STATE OF ARKANSAS
OFFICE OF THE ATTORNEY GENERAL
JUSTICE BUILDING, LITTLE ROCK 72201

STEVE CLARK
ATTORNEY GENERAL

(501) 371-2007

Opinion No. 85-190

September 5, 1985

Mr. Kim M. Smith
Prosecuting Attorney
Courthouse Annex
Fayetteville, AR 72701

Dear Mr. Smith:

This is in response to your July 31, 1985, opinion request in which you posed the following question:

Are elected county officials and state prosecuting attorneys provided worker's compensation coverage?

The answer is "yes."

Elected county officials are provided coverage by the county pursuant to Act 866 of 1985, which provides in pertinent part:

SECTION 1. All municipalities and counties shall be required to provide worker's compensation coverage for their officials, employees and municipal volunteer firemen. Coverages shall be provided for losses incurred while performing work for the municipality or county.

Prosecuting attorneys, as state employees, are provided worker's compensation coverage by the Public Employee Worker's Compensation Act, Ark. Stat. Ann. §12-3601 et seq (Repl. 1979), which defines a "Public Employee" in pertinent part as follows:

Section 1(A)(1) State Employees and Officers:
Any office or employee of any State agency, board, commission, department, institution, college, university

The foregoing opinion, which I hereby approve, was prepared by Assistant Attorney General David S. Mitchell.

Sincerely,


STEVE CLARK
Attorney General

SC/DSM/ljm