

1 State of Arkansas
2 90th General Assembly
3 Fiscal Session, 2016
4

As Engrossed: S4/28/16

A Bill

SENATE BILL 128

5 By: Senator L. Chesterfield
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION TO ESTABLISH A HIGHER
9 EDUCATION FOR INCARCERATED OFFENDERS PILOT PROGRAM
10 FOR THE DEPARTMENT OF COMMUNITY CORRECTION FOR THE
11 FISCAL YEAR ENDING JUNE 30, 2017; AND FOR OTHER
12 PURPOSES.
13
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Subtitle

15 AN ACT FOR THE DEPARTMENT OF COMMUNITY
16 CORRECTION - POSTSECONDARY EDUCATION
17 APPROPRIATION FOR THE 2016-2017 FISCAL
18 YEAR.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. APPROPRIATION - HIGHER EDUCATION FOR INCARCERATED OFFENDERS
25 PILOT PROGRAM. There is hereby appropriated, to the Department of Community
26 Correction, to be payable from the Department of Community Correction Fund
27 Account, to establish a Higher Education for Incarcerated Offenders pilot
28 program for postsecondary education and training expenses of incarcerated
29 offenders of the Department of Community Correction for the fiscal year
30 ending June 30, 2017, the following:
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32 ITEM	FISCAL YEAR
33 <u>NO.</u>	<u>2016-2017</u>
34 (01) TUITION, BOOKS AND RELATED EXPENSES	
35 FOR INCARCERATED INDIVIDUALS	<u>\$1,000,000</u>

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1 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EDUCATION
3 EXPENSES.

4 (a) The Department of Community Corrections may pay expenses of
5 eligible postsecondary institutions for the cost of tuition, fees, books or
6 other related costs to provide educational services to incarcerated persons.
7 Only postsecondary institutions that applied for a 2016-2017 U.S. Department
8 of Education Second Chance Pell Pilot Program for Incarcerated Individuals
9 are eligible to participate in the state pilot program.

10 (b) The provisions of this section shall be in effect only from July
11 1, 2016 through June 30, 2017.

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13 SECTION 3. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
14 authorized by this act shall be limited to the appropriation for such agency
15 and funds made available by law for the support of such appropriations; and
16 the restrictions of the State Procurement Law, the General Accounting and
17 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
18 Procedures and Restrictions Act, or their successors, and other fiscal
19 control laws of this State, where applicable, and regulations promulgated by
20 the Department of Finance and Administration, as authorized by law, shall be
21 strictly complied with in disbursement of said funds.

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23 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General
24 Assembly that any funds disbursed under the authority of the appropriations
25 contained in this act shall be in compliance with the stated reasons for
26 which this act was adopted, as evidenced by the Agency Requests, Executive
27 Recommendations and Legislative Recommendations contained in the budget
28 manuals prepared by the Department of Finance and Administration, letters, or
29 summarized oral testimony in the official minutes of the Arkansas Legislative
30 Council or Joint Budget Committee which relate to its passage and adoption.

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32 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General
33 Assembly, that the Constitution of the State of Arkansas prohibits the
34 appropriation of funds for more than a one (1) year period; that the
35 effectiveness of this Act on July 1, 2016 is essential to the operation of
36 the agency for which the appropriations in this Act are provided, and that in

1 the event of an extension of the legislative session, the delay in the
2 effective date of this Act beyond July 1, 2016 could work irreparable harm
3 upon the proper administration and provision of essential governmental
4 programs. Therefore, an emergency is hereby declared to exist and this Act
5 being necessary for the immediate preservation of the public peace, health
6 and safety shall be in full force and effect from and after July 1, 2016.

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8 */s/L. Chesterfield*
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