

1 State of Arkansas  
2 92nd General Assembly  
3 Fiscal Session, 2020  
4

# A Bill

HOUSE BILL 1013

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL  
9 IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF  
10 CORRECTIONS - DIVISION OF CORRECTION; AND FOR OTHER  
11 PURPOSES.  
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## Subtitle

14 AN ACT FOR THE DEPARTMENT OF CORRECTIONS  
15 - DIVISION OF CORRECTION REAPPROPRIATION.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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### SECTION 1. REAPPROPRIATION - DEVELOPMENT AND ENHANCEMENT FUND PROJECTS.

21 There is hereby appropriated, to the Department of Corrections, to be payable  
22 from the Development and Enhancement Fund, for the Department of Corrections  
23 - Division of Correction the following:  
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25 (A) Effective July 1, 2020, the balance of the appropriation provided  
26 in Item (A) of Section 1 of Act 225 of 2019, for personal services and  
27 operating expenses of the Division of Correction - Ester Unit, in a sum not  
28 to exceed .....\$35,081.

29 (B) Effective July 1, 2020, the balance of the appropriation provided  
30 in Item (B) of Section 1 of Act 225 of 2019, for personal services and  
31 operating expenses of the Division of Correction - Female Work Release -  
32 Pine Bluff, in a sum not to exceed .....\$885,933.

33 (C) Effective July 1, 2020, the balance of the appropriation provided  
34 in Item (C) of Section 1 of Act 225 of 2019, for operating expenses of the  
35 Tucker Unit, in a sum not to exceed .....\$140,820.

36 (D) Effective July 1, 2020, the balance of the appropriation provided



1 in Item (D) of Section 1 of Act 225 of 2019, for maintenance, replacement,  
2 repair, expansion, construction, equipping, renovation, purchase, improvement  
3 and upgrade of existing facilities of the Division of Correction, in a sum  
4 not to exceed .....\$2,987,223.

5 (E) Effective July 1, 2020, the balance of the appropriation provided  
6 in Item (F) of Section 1 of Act 225 of 2019, for construction to expand the  
7 existing visitation center at the McPherson Unit, in a sum not to exceed  
8 .....\$141,342.

9 (F) Effective July 1, 2020, the balance of the appropriation provided  
10 in Item (G) of Section 1 of Act 225 of 2019, for construction to expand the  
11 existing Administration Building at the McPherson Unit, in a sum not to  
12 exceed .....\$335,794.

13 (G) Effective July 1, 2020, the balance of the appropriation provided  
14 in Item (J) of Section 1 of Act 225 of 2019, for construction of two armories  
15 at the Varner and Tucker Units, in a sum not to exceed .....\$138,399.

16 (H) Effective July 1, 2020, the balance of the appropriation provided  
17 in Item (L) of Section 1 of Act 225 of 2019, for replacement of the existing  
18 Water Treatment Plant at the Tucker Unit, in a sum not to exceed  
19 .....\$1,093,848.

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21 SECTION 2. REAPPROPRIATION - CAPITAL IMPROVEMENT PROJECTS. There is  
22 hereby appropriated, to the Department of Corrections, to be payable from the  
23 Development and Enhancement Fund, for the Department of Corrections -  
24 Division of Correction the following:

25 (A) Effective July 1, 2020, the balance of the appropriation provided  
26 in Item (A) of Section 1 of Act 411 of 2019, for lease payments associated  
27 with debt service on a 948-bed institution at Malvern, a 400-bed addition at  
28 the Grimes Unit at Newport, and 862-bed Special Needs Unit and addition to  
29 Ouachita River Unit at Malvern, in a sum not to exceed .....\$10,500,000.

30 (B) Effective July 1, 2020, the balance of the appropriation provided  
31 in Item (B) of Section 1 of Act 411 of 2019, for Phase II of III of the  
32 Tucker Water Treatment Plant, in a sum not to exceed .....\$1,093,848.

33 (C) Effective July 1, 2020, the balance of the appropriation provided  
34 in Item (C) of Section 1 of Act 411 of 2019, for lethal fence upgrades at  
35 Cummins/Varner, in a sum not to exceed .....\$580,000.

36 (D) Effective July 1, 2020, the balance of the appropriation provided

1 in Item (D) of Section 1 of Act 411 of 2019, for fence replacement at  
2 Delta/North Central/Wrightsville, in a sum not to exceed .....\$1,150,000.

3 (E) Effective July 1, 2020, the balance of the appropriation provided  
4 in Item (E) of Section 1 of Act 411 of 2019, for replacement, upgrades and  
5 additions to the current security camera systems at Cummins, Varner and  
6 Wrightsville, in a sum not to exceed .....\$2,400,000.

7 (F) Effective July 1, 2020, the balance of the appropriation provided  
8 in Item (F) of Section 1 of Act 411 of 2019, for expansion of Pine Bluff  
9 maintenance fabrication shop, in a sum not to exceed .....\$120,000.

10 (G) Effective July 1, 2020, the balance of the appropriation provided  
11 in Item (G) of Section 1 of Act 411 of 2019, for replacement of existing  
12 equipment for the East Arkansas Water Waste Project, in a sum not to exceed  
13 .....\$259,000.

14 (H) Effective July 1, 2020, the balance of the appropriation provided  
15 in Item (H) of Section 1 of Act 411 of 2019, for roof replacement - Pine  
16 Bluff/RLW, in a sum not to exceed .....\$2,800,000.

17 (I) Effective July 1, 2020, the balance of the appropriation provided  
18 in Item (I) of Section 1 of Act 411 of 2019, for replacing cell door control  
19 panels at the Grimes Unit, in a sum not to exceed .....\$400,000.

20 (J) Effective July 1, 2020, the balance of the appropriation provided  
21 in Item (J) of Section 1 of Act 411 of 2019, for additional well to provide  
22 drinking water to Cummins & Varner Units, in a sum not to exceed ..\$900,000.

23 (K) Effective July 1, 2020, the balance of the appropriation provided  
24 in Item (K) of Section 1 of Act 411 of 2019, for Northwest Arkansas Work  
25 Release Laundry & Commissary Building, in a sum not to exceed .....\$250,000.

26 (L) Effective July 1, 2020, the balance of the appropriation provided  
27 in Item (L) of Section 1 of Act 411 of 2019, for repairs and expansion of  
28 parking lot at Ouachita River Unit, in a sum not to exceed .....\$326,362.

29 (M) Effective July 1, 2020, the balance of the appropriation provided  
30 in Item (M) of Section 1 of Act 411 of 2019, for addition to the existing  
31 North Central Unit - additional 576 beds, additional 30 Administrative  
32 Segregation beds and additional Administration and Support Staff offices and  
33 program rooms, in a sum not to exceed .....\$39,283,656.

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35 SECTION 3. REAPPROPRIATION - VARIOUS INDUSTRY PROJECTS - CASH. There  
36 is hereby appropriated, to the Department of Corrections, to be payable from

1 the cash fund deposited in the State Treasury as determined by the Chief  
2 Fiscal Officer of the State, for the Department of Correction - Division of  
3 Correction the following:

4 (A) Effective July 1, 2020, the balance of the appropriation provided  
5 in Section 4 of Act 411 of 2019, for construction, renovation and major  
6 maintenance of facilities and Central Warehouse of the Division of Correction  
7 ,in a sum not to exceed .....\$5,000,000.

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9 SECTION 4. REAPPROPRIATION - VARIOUS FARM PROJECTS. There is hereby  
10 appropriated, to the Department of Corrections, to be payable from the  
11 Division of Correction Farm Fund, for the Department of Corrections -  
12 Division of Correction the following:

13 (A) Effective July 1, 2020, the balance of the appropriation provided  
14 in Item (A) of Section 3 of Act 225 of 2019, for maintenance, replacement,  
15 repair, expansion, construction, equipping, renovation, purchase,  
16 improvement, and upgrade of the Division of Correction - Various Farm  
17 Projects, in a sum not to exceed .....\$140,534.

18 (B) Effective July 1, 2020, the balance of the appropriation provided  
19 in Item (B) of Section 3 of Act 225 of 2019, for construction of grain  
20 storage bins at the East Arkansas Unit, in a sum not to exceed .....\$200,000.

21 (C) Effective July 1, 2020, the balance of the appropriation provided  
22 in Item (C) of Section 3 of Act 225 of 2019, for construction of grain  
23 storage bins at the Tucker Unit, in a sum not to exceed .....\$200,000.

24 (D) Effective July 1, 2020, the balance of the appropriation provided  
25 in Item (D) of Section 3 of Act 225 of 2019, for renovation of the current  
26 dairy facility and replacement of equipment, in a sum not to exceed  
27 .....\$2,799,800.

28 (E) Effective July 1, 2020, the balance of the appropriation provided  
29 in Item (E) of Section 3 of Act 225 of 2019, for construction of grain  
30 storage bins at Cummins, Tucker and East Arkansas Units, in a sum not to  
31 exceed .....\$2,430,250.

32 (F) Effective July 1, 2020, the balance of the appropriation provided  
33 in Item (F) of Section 3 of Act 225 of 2019, for maintenance and repair to  
34 upgrade the existing feed mill at the Cummins Unit, in a sum not to exceed  
35 .....\$889,750.

36 (G) Effective July 1, 2020, the balance of the appropriation provided

1 in Item (A) of Section 2 of Act 411 of 2019, for Irrigation Project at  
2 Tucker/Cummins, in a sum not to exceed .....\$110,000.

3 (H) Effective July 1, 2020, the balance of the appropriation provided  
4 in Item (B) of Section 2 of Act 411 of 2019, for various farm projects for  
5 maintenance, replacement, repair, expansion, construction, equipping,  
6 renovation, purchase, improvement, and upgrade of the Division of Correction,  
7 in a sum not to exceed .....\$1,000,000.

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9 SECTION 5. REAPPROPRIATION - VARIOUS INDUSTRY PROJECTS. There is  
10 hereby appropriated, to the Department of Corrections, to be payable from the  
11 Division of Correction Prison Industry Fund, for the Department of  
12 Corrections - Division of Correction the following:

13 (A) Effective July 1, 2020, the balance of the appropriation provided  
14 in Item (A) of Section 2 of Act 225 of 2019, for maintenance, replacement,  
15 repair, expansion, construction, equipping, renovation, purchase, improvement  
16 and upgrade of the Division of Correction - Various Industry Projects, in a  
17 sum not to exceed .....\$108,950.

18 (B) Effective July 1, 2020, the balance of the appropriation provided  
19 in Item (A) of Section 3 of Act 411 of 2019, for various industry projects  
20 including storage at the Wrightsville Unit near the industry buildings, in a  
21 sum not to exceed .....\$150,000.

22 (C) Effective July 1, 2020, the balance of the appropriation provided  
23 in Item (B) of Section 3 of Act 411 of 2019, for various industry projects  
24 for maintenance, replacement, repair, expansion, construction, equipping,  
25 renovation, purchase, improvement, and upgrade of the Division of Correction,  
26 in a sum not to exceed .....\$1,000,000.

27 (D) Effective July 1, 2020, the balance of the appropriation provided  
28 in Item (C) of Section 3 of Act 411 of 2019, for construction, renovation and  
29 major maintenance of facilities and Central Warehouse, in a sum not to exceed  
30 .....\$5,000,000.

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32 SECTION 6. REAPPROPRIATION - CAPITAL IMPROVEMENT PROJECTS. There is  
33 hereby appropriated, to the Department of Corrections, to be payable from the  
34 Development and Enhancement Fund, for the Department of Correction -  
35 Riverside Vocational Technical School the following:

36 (A) Effective July 1, 2020, the balance of the appropriation provided

1 in Item (B) of Section 1 of Act 233 of 2019, for transfers of or refund to  
2 expenditures for capital balances for construction, renovation, major  
3 maintenance, and purchase of equipment for various capital projects or  
4 facility improvements, in a sum not to exceed .....\$140,290.  
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6 SECTION 7. REAPPROPRIATION - RIVERSIDE CAPITAL IMPROVEMENTS. There is  
7 hereby appropriated, to the Department of Corrections, to be payable from the  
8 Development and Enhancement Fund, for the Department of Corrections -  
9 Riverside Vocational Technical School the following:

10 (A) Effective July 1, 2020, the balance of the appropriation provided  
11 in Item (A) of Section 1 of Act 404 of 2019, for transfers of or refund to  
12 expenditures for capital balances for construction, renovation, major  
13 maintenance, and purchase of equipment for various capital projects or  
14 facility improvements, in a sum not to exceed .....\$1,000,000.  
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16 SECTION 8. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
17 obligations otherwise incurred in relation to the project or projects  
18 described herein in excess of the State Treasury funds actually available  
19 therefor as provided by law. Provided, however, that institutions and  
20 agencies listed herein shall have the authority to accept and use grants and  
21 donations including Federal funds, and to use its unobligated cash income or  
22 funds, or both available to it, for the purpose of supplementing the State  
23 Treasury funds for financing the entire costs of the project or projects  
24 enumerated herein. Provided further, that the appropriations and funds  
25 otherwise provided by the General Assembly for Maintenance and General  
26 Operations of the agency or institutions receiving appropriation herein shall  
27 not be used for any of the purposes as appropriated in this act.

28 (B) The restrictions of any applicable provisions of the State  
29 Purchasing Law, the General Accounting and Budgetary Procedures Law, the  
30 Revenue Stabilization Law and any other applicable fiscal control laws of  
31 this State and regulations promulgated by the Department of Finance and  
32 Administration, as authorized by law, shall be strictly complied with in  
33 disbursement of any funds provided by this act unless specifically provided  
34 otherwise by law.  
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36 SECTION 9. LEGISLATIVE INTENT. It is the intent of the General

1 Assembly that any funds disbursed under the authority of the appropriations  
2 contained in this act shall be in compliance with the stated reasons for  
3 which this act was adopted, as evidenced by the Agency Requests, Executive  
4 Recommendations and Legislative Recommendations contained in the budget  
5 manuals prepared by the Department of Finance and Administration, letters, or  
6 summarized oral testimony in the official minutes of the Arkansas Legislative  
7 Council or Joint Budget Committee which relate to its passage and adoption.  
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9 SECTION 10. EMERGENCY CLAUSE. It is found and determined by the  
10 General Assembly, that the Constitution of the State of Arkansas prohibits  
11 the appropriation of funds for more than a one (1) year period; that the  
12 effectiveness of this Act on July 1, 2020 is essential to the operation of  
13 the agency for which the appropriations in this Act are provided, and that in  
14 the event of an extension of the legislative session, the delay in the  
15 effective date of this Act beyond July 1, 2020 could work irreparable harm  
16 upon the proper administration and provision of essential governmental  
17 programs. Therefore, an emergency is hereby declared to exist and this Act  
18 being necessary for the immediate preservation of the public peace, health  
19 and safety shall be in full force and effect from and after July 1, 2020.  
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22 **APPROVED: 4/17/20**  
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