

As Engrossed: 3/4/91

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Joint Budget Committee**

A Bill ACT 644 OF 1991
HOUSE BILL 1887

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF
9 CORRECTION FOR REIMBURSEMENT TO COUNTIES HOUSING PRISONERS
10 SENTENCED TO THE DEPARTMENT OF CORRECTION; TO CREATE THE
11 COUNTY JAIL REIMBURSEMENT FUND; AND FOR OTHER PURPOSES."

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

15 SECTION 1. APPROPRIATIONS - REIMBURSEMENT. There is hereby
16 appropriated, to the Department of Correction, to be payable from the County
17 Jail Reimbursement Fund, for reimbursement to counties housing prisoners
18 sentenced to the Department of Correction, for the biennial period ending June
19 30, 1993, the following:

ITEM	FISCAL YEARS	
NO.	1991-92	1992-93
(01) COUNTY JAIL REIMBURSEMENT	<u>\$ 5,751,512</u>	<u>\$ 8,723,494</u>

25 SECTION 2. The County Jail Reimbursement Fund is hereby created and
26 established on the books of the State Treasurer, State Auditor, and Chief
27 Fiscal Officer of the State, and shall consist of those general revenues or
28 *general improvement funds* that may be provided by law. The Fund shall be used
29 by the Department of Correction for reimbursing counties housing prisoners
30 sentenced to the Department.

32 SECTION 3. Beginning August 1, 1991, and each month thereafter, the
33 sheriff of any county housing prisoners sentenced to the Department of
34 Correction shall cause to be prepared and submitted to the Director of the
35 Department of Correction, documentation detailing the number of jail beds
36 occupied each day during the previous month by prisoners sentenced to the

1 Department of Correction. Further, the Division of Legislative Audit shall
2 audit on a quarterly basis, a random sample of the documentation submitted by
3 counties to the Department of Correction to ensure the accuracy of county
4 reimbursement costs by the State.

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6 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
7 authorized by this Act shall be limited to the appropriation for such agency
8 and funds made available by law for the support of such appropriations; and
9 the restrictions of the State Purchasing Law, the General Accounting and
10 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
11 Procedures and Restrictions Act, or their successors, and other fiscal control
12 laws of this State, where applicable, and regulations promulgated by the
13 Department of Finance and Administration, as authorized by law, shall be
14 strictly complied with in disbursement of said funds.

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16 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General
17 Assembly that any funds disbursed under the authority of the appropriations
18 contained in this Act shall be in compliance with the stated reasons for which
19 this Act was adopted, as evidenced by the Agency Requests, Executive
20 Recommendations and Legislative Recommendations contained in the budget
21 manuals prepared by the Department of Finance and Administration, letters, or
22 summarized oral testimony in the official minutes of the Arkansas Legislative
23 Council or Joint Budget Committee which relate to its passage and adoption.

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25 SECTION 6. CODE. All provisions of this Act of a general and permanent
26 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
27 Code Revision Commission shall incorporate the same in the Code.

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29 SECTION 7. SEVERABILITY. If any provision of this Act or the
30 application thereof to any person or circumstance is held invalid, such
31 invalidity shall not affect other provisions or applications of the Act which
32 can be given effect without the invalid provision or application, and to this
33 end the provisions of this Act are declared to be severable.

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35 SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict
36 with this Act are hereby repealed.

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SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Eighth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1991 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 Regular Session, the delay in the effective date of this Act beyond July 1, 1991 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, 1991.

/s/John E. Miller

APPROVED: 3-19-91

