

1 State of Arkansas  
2 87th General Assembly  
3 Fiscal Session, 2010

# A Bill

HOUSE BILL 1171

4  
5 By: Joint Budget Committee  
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## For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR THE PAYMENT  
10 OF REIMBURSEMENT TO COUNTIES HOUSING STATE  
11 INMATES FOR THE DEPARTMENT OF CORRECTION WHICH  
12 SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE  
13 FUNDS APPROPRIATED BY ACT 1285 OF 2009; AND FOR  
14 OTHER PURPOSES.

## Subtitle

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17 AN ACT FOR THE DEPARTMENT OF CORRECTION  
18 - COUNTY JAIL REIMBURSEMENT SUPPLEMENTAL  
19 APPROPRIATION.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. APPROPRIATION – COUNTY JAIL REIMBURSEMENT. There is hereby  
26 appropriated, to the Department of Correction, to be payable from the County  
27 Jail Reimbursement Fund, for the payment of reimbursement to counties housing  
28 state inmates of the Department of Correction which shall be supplemental and  
29 in addition to those funds appropriated in Section 15 of Act 1285 of 2009,  
30 the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) REIMBURSEMENT TO COUNTIES HOUSING	
STATE INMATES	<u>\$ 8,200,000</u>

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SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING TRANSFER. Notwithstanding the provisions of Section 3(b) of Acts 1442 and 1443 of 2009 to the contrary regarding the allocation of the remaining 25% of the moneys set-aside in the Legislative Division of the 87th Session Projects Account of the General Improvement Fund to the various projects enumerated in subsection (c) of Section 3 during the fiscal year ending June 30, 2011, immediately upon the effective date of this Act, the Chief Fiscal Officer of the State shall transfer on his or her books and those of the State Treasurer and Auditor of State, the sum of four million two hundred thousand dollars (\$4,200,000) from the remaining 25% of the funds set-aside in Section 3(b) of Acts 1442 and 1443 of 2009 to the County Jail Reimbursement Fund established by A.C.A. §19-5-1045.

SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING TRANSFER. Immediately upon the effective date of this Act, the Chief Fiscal Officer of the State shall transfer on his or her books and those of the State Treasurer and Auditor of State, the sum of three million dollars (\$3,000,000) from the Executive Discretionary Division funding provided in Section 3(b) of Acts 1442 and 1443 of 2009 to the County Jail Reimbursement Fund established by A.C.A. §19-5-1045.

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

SECTION 5. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained

1 in this act shall be in compliance with the stated reasons for which this act  
2 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
3 and Legislative Recommendations contained in the budget manuals prepared by  
4 the Department of Finance and Administration, letters, or summarized oral  
5 testimony in the official minutes of the Arkansas Legislative Council or  
6 Joint Budget Committee which relate to its passage and adoption.

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8 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General  
9 Assembly, that funds provided by the General Assembly for the operations of  
10 the Department of Correction are, due to unforeseen circumstances,  
11 insufficient for the Department of Correction to continue to provide  
12 essential governmental services; that the provisions of this act will provide  
13 the necessary monies for the Department of Correction to continue such  
14 services; and that a delay in the effective date of this Act could work  
15 irreparable harm upon the proper administration and provision of essential  
16 governmental programs. Therefore, an emergency is hereby declared to exist  
17 and this Act being necessary for the immediate preservation of the public  
18 peace, health and safety shall be in full force and effect from and after the  
19 date of its passage and approval.

20 If the bill is neither approved nor vetoed by the Governor, it shall become  
21 effective on the expiration of the period of time during which the Governor  
22 may veto the bill. If the bill is vetoed by the Governor and the veto is  
23 overridden, it shall become effective on the date the last house overrides  
24 the veto.

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27 **APPROVED: 2/26/2010**  
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