

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019

A Bill

SENATE BILL 323

4
5 By: Joint Budget Committee

For An Act To Be Entitled

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8 AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
9 IMPROVEMENT APPROPRIATIONS FOR THE ARKANSAS PUBLIC
10 DEFENDER COMMISSION; AND FOR OTHER PURPOSES.

Subtitle

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14 AN ACT FOR THE ARKANSAS PUBLIC DEFENDER
15 COMMISSION REAPPROPRIATION.

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

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20 SECTION 1. REAPPROPRIATION - JUVENILE OFFENDERS. There is hereby
21 appropriated, to the Arkansas Public Defender Commission, to be payable from
22 the Development and Enhancement Fund, for the Arkansas Public Defender
23 Commission the following:

24 (A) Effective July 1, 2019, the balance of the appropriation provided
25 in Item (A) of Section 1 of Act 31 of 2018, for expenses related to the
26 resentencing of juveniles sentenced to mandatory life without parole, in a
27 sum not to exceed\$1,969,608.

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29 SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
30 obligations otherwise incurred in relation to the project or projects
31 described herein in excess of the State Treasury funds actually available
32 therefor as provided by law. Provided, however, that institutions and
33 agencies listed herein shall have the authority to accept and use grants and
34 donations including Federal funds, and to use its unobligated cash income or
35 funds, or both available to it, for the purpose of supplementing the State
36 Treasury funds for financing the entire costs of the project or projects



1 enumerated herein. Provided further, that the appropriations and funds
2 otherwise provided by the General Assembly for Maintenance and General
3 Operations of the agency or institutions receiving appropriation herein shall
4 not be used for any of the purposes as appropriated in this act.

5 (B) The restrictions of any applicable provisions of the State
6 Purchasing Law, the General Accounting and Budgetary Procedures Law, the
7 Revenue Stabilization Law and any other applicable fiscal control laws of
8 this State and regulations promulgated by the Department of Finance and
9 Administration, as authorized by law, shall be strictly complied with in
10 disbursement of any funds provided by this act unless specifically provided
11 otherwise by law.

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13 SECTION 3. LEGISLATIVE INTENT. It is the intent of the General
14 Assembly that any funds disbursed under the authority of the appropriations
15 contained in this act shall be in compliance with the stated reasons for
16 which this act was adopted, as evidenced by the Agency Requests, Executive
17 Recommendations and Legislative Recommendations contained in the budget
18 manuals prepared by the Department of Finance and Administration, letters, or
19 summarized oral testimony in the official minutes of the Arkansas Legislative
20 Council or Joint Budget Committee which relate to its passage and adoption.

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22 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General
23 Assembly, that the Constitution of the State of Arkansas prohibits the
24 appropriation of funds for more than a one (1) year period; that the
25 effectiveness of this Act on July 1, 2019 is essential to the operation of
26 the agency for which the appropriations in this Act are provided, and that in
27 the event of an extension of the legislative session, the delay in the
28 effective date of this Act beyond July 1, 2019 could work irreparable harm
29 upon the proper administration and provision of essential governmental
30 programs. Therefore, an emergency is hereby declared to exist and this Act
31 being necessary for the immediate preservation of the public peace, health
32 and safety shall be in full force and effect from and after July 1, 2019.

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35 APPROVED: 3/1/19
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