State of Arkansas

92nd General Assembly
Regular Session, 2019

By: Joint Budget Committee

A Bill

SENATE BILL 323

For An Act To Be Entitled

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

Subtitle

AN ACT FOR THE ARKANSAS PUBLIC DEFENDER
COMMISSION REAPPROPRIATION.

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

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

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

SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
obligations otherwise incurred in relation to the project or projects
described herein in excess of the State Treasury funds actually available
therefor as provided by law. Provided, however, that institutions and
agencies listed herein shall have the authority to accept and use grants and
donations including Federal funds, and to use its unobligated cash income or
funds, or both available to it, for the purpose of supplementing the State
Treasury funds for financing the entire costs of the project or projects
enumerated herein. Provided further, that the appropriations and funds
otherwise provided by the General Assembly for Maintenance and General
Operations of the agency or institutions receiving appropriation herein shall
not be used for any of the purposes as appropriated in this act.

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

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

SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General
Assembly, that the Constitution of the State of Arkansas prohibits the
appropriation of funds for more than a one (1) year period; that the
effectiveness of this Act on July 1, 2019 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 legislative session, the delay in the
effective date of this Act beyond July 1, 2019 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, 2019.

APPROVED: 3/1/19