

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

SENATE BILL 428

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS
9 PUBLIC DEFENDER COMMISSION FOR CAPITAL IMPROVEMENT
10 PROJECTS; AND FOR OTHER PURPOSES.
11

Subtitle

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13 AN ACT FOR THE ARKANSAS PUBLIC DEFENDER
14 COMMISSION CAPITAL IMPROVEMENT
15 APPROPRIATION.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. APPROPRIATION - JUVENILE OFFENDERS. There is hereby
22 appropriated, to the Arkansas Public Defender Commission, to be payable from
23 the Development and Enhancement Fund, for expenses related to the
24 resentencing of juveniles sentenced to mandatory life without parole by the
25 Arkansas Public Defender Commission for the fiscal year ending June 30, 2020,
26 in a sum not to exceed.....\$2,000,000.
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28 SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
29 obligations otherwise incurred in relation to the project or projects
30 described herein in excess of the State Treasury funds actually available
31 therefor as provided by law. Provided, however, that institutions and
32 agencies listed herein shall have the authority to accept and use grants and
33 donations including Federal funds, and to use its unobligated cash income or
34 funds, or both available to it, for the purpose of supplementing the State
35 Treasury funds for financing the entire costs of the project or projects
36 enumerated herein. Provided further, that the appropriations and funds



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

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

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

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

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34 APPROVED: 3/7/19
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