

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

As Engrossed: S3/27/19

A Bill

SENATE BILL 67

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR TRIAL COURT
10 ADMINISTRATORS, THE OFFICIAL COURT REPORTERS OF THE
11 CIRCUIT COURTS, JUVENILE PROBATION AND INTAKE
12 OFFICERS AND DRUG COURT JUVENILE PROBATION AND INTAKE
13 OFFICERS FOR THE FISCAL YEAR ENDING JUNE 30, 2020;
14 AND FOR OTHER PURPOSES.
15

Subtitle

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18 AN ACT FOR THE ADMINISTRATIVE OFFICE OF
19 THE COURTS - COURT PERSONNEL
20 APPROPRIATION FOR THE 2019-2020 FISCAL
21 YEAR.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. REGULAR SALARIES - TRIAL COURT ADMINISTRATORS. There is
27 hereby established for the Administrative Office of the Courts - Trial Court
28 Administrators for the 2019-2020 fiscal year, the following maximum number of
29 regular employees.
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Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2019-2020
(1)	Q226C	TRIAL COURT ADMINISTRATOR	<u>122</u>	GRADE GS07
		MAX. NO. OF EMPLOYEES	122	



SECTION 2. APPROPRIATION - TRIAL COURT ADMINISTRATORS. There is hereby appropriated, to the Administrative Office of the Courts, to be payable from the Trial Court Administrator Fund, for personal services, Trial Court Administrator Substitutes expenses and Trial Court Administrators expenses of the Trial Court Administrators of the Circuit Courts for the fiscal year ending June 30, 2020, the following:

ITEM NO.		FISCAL YEAR 2019-2020
(01)	REGULAR SALARIES	\$5,816,082
(02)	PERSONAL SERVICES MATCHING	1,959,559
(03)	TRIAL COURT ADMINISTRATOR EXPENSES	175,000
(04)	TRIAL COURT ADMINISTRATOR SUBSTITUTES	<u>175,000</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$8,125,641</u>

SECTION 3. REGULAR SALARIES - COURT REPORTERS. There is hereby established for the Administrative Office of the Courts - Official Court Reporters of the Circuit Courts for the 2019-2020 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2019-2020
(1)	Q227C	COURT REPORTER	<u>122</u>	GRADE GS08
		MAX. NO. OF EMPLOYEES	122	

SECTION 4. APPROPRIATION - COURT REPORTERS. There is hereby appropriated, to the Administrative Office of the Courts, to be payable from the Court Reporter's Fund, for personal services, expenses allowance, indigent transcripts and court reporter substitutes of the Official Court Reporters of the Circuit Courts for the fiscal year ending June 30, 2020, the following:

ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2019-2020</u>
2	(01) REGULAR SALARIES	\$6,719,774
3	(02) PERSONAL SERVICES MATCHING	2,168,492
4	(03) EXPENSES ALLOWANCE	350,000
5	(04) INDIGENT TRANSCRIPTS	600,000
6	(05) COURT REPORTER SUBSTITUTES	<u>375,000</u>
7	TOTAL AMOUNT APPROPRIATED	<u><u>\$10,213,266</u></u>

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 9 SECTION 5. APPROPRIATION - JUVENILE PROBATION & INTAKE OFFICERS. There
 10 is hereby appropriated, to the Administrative Office of the Courts, to be
 11 payable from the State Central Services Fund, for reimbursement of a portion
 12 of the salaries of full-time juvenile probation and intake officers in
 13 accordance with Arkansas Code 16-13-327 and Arkansas Code 16-13-328 for the
 14 fiscal year ending June 30, 2020, the following:

16	ITEM	FISCAL YEAR
17	<u>NO.</u>	<u>2019-2020</u>
18	(01) JUVENILE PROBATION & INTAKE OFFICERS	<u><u>\$3,582,810</u></u>

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 20 SECTION 6. REGULAR SALARIES - DRUG COURT JUVENILE PROBATION & INTAKE
 21 OFFICERS. There is hereby established for the Administrative Office of the
 22 Courts - Drug Court Juvenile Probation & Intake Officers for the 2019-2020
 23 fiscal year, the following maximum number of regular employees.

25			Maximum Annual
26		Maximum	Salary Rate
27	Item Class	No. of	Fiscal Year
28	<u>No. Code Title</u>	<u>Employees</u>	<u>2019-2020</u>
29	(1) Q231C DRUG COURT JUV PROB & INTAKE OFF	<u>13</u>	GRADE GS06
30	MAX. NO. OF EMPLOYEES	13	

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 32 SECTION 7. APPROPRIATION - DRUG COURT JUVENILE PROBATION & INTAKE
 33 OFFICERS. There is hereby appropriated, to the Administrative Office of the
 34 Courts, to be payable from the State Central Services Fund, for personal
 35 services for the Drug Court Juvenile Probation & Intake Officers and
 36 operating expenses for the Structured Assessment of Violence Risk in Youth

1 (SAVRY) Program for the fiscal year ending June 30, 2020, the following:

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3 ITEM	FISCAL YEAR
4 NO.	2019-2020
5 (01) REGULAR SALARIES	\$485,835
6 (02) PERSONAL SERVICES MATCHING	177,845
7 (03) SAVRY PROGRAM EXPENSES	<u>87,500</u>
8 TOTAL AMOUNT APPROPRIATED	<u><u>\$751,180</u></u>

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10 SECTION 8. Arkansas Code § 16-13-501 is amended to read as follows:

11 16-13-501. Court reporters made state employees.

12 (a) The official court reporters of the circuit courts in this state
 13 are employees of the State of Arkansas.

14 (b) The Administrative Office of the Courts may employ or contract
 15 with a court reporter previously employed by the state for services provided
 16 at any time after his or her separation from state employment, regardless of
 17 a limitation otherwise provided under § 19-11-709(d).

18 (c) The office is responsible for the financial oversight of the court
 19 reporters employed by the circuit court, which includes without limitation:

20 (1) Biennial and annual budget requests;

21 (2) Relevant budget activities;

22 (3) Monitoring expenses;

23 (4) Travel;

24 (5) Substitute expenses;

25 (6) Indigent transcript payments; and

26 (7) Ensuring projected annual expenditures do not exceed total
 27 available funding.

28 (d) The office, with the assistance of the Arkansas Judicial Council
 29 Inc., shall establish an official procedure or rules for:

30 (1) The hiring of court reporters;

31 (2) The termination of court reporters; and

32 (3) Salary adjustments for court reporters.

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34 SECTION 9. Arkansas Code § 16-13-3301 is amended to read as follows:

35 16-13-3301. Trial court administrators made state employees.

36 (a) A trial court administrator of a circuit court is an employee of

1 the State of Arkansas.

2 (b) The Administrative Office of the Courts is responsible for the
3 financial oversight of the trial court administrators employed by the circuit
4 court, which includes without limitation:

5 (1) Biennial and annual budget requests;

6 (2) Relevant budget activities;

7 (3) Monitoring expenses;

8 (4) Travel;

9 (5) Substitute expenses;

10 (6) Indigent transcript payments; and

11 (7) Ensuring projected annual expenditures do not exceed total
12 available funding.

13 (c) The office, with the assistance of the Arkansas Judicial Council
14 Inc., shall establish an official procedure or rules for:

15 (1) The hiring of trial court administrators;

16 (2) The termination of trial court administrators; and

17 (3) Salary adjustments for trial court administrators.

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19 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING
21 FROM THE ADMINISTRATION OF JUSTICE FUND.

22 (a) (i) The Administrative Office of the Courts shall be responsible
23 for requesting and verifying the need for any additional appropriation, any
24 position change level, and any increase in the Administration of Justice Fund
25 Allocation Section as authorized annually through special language in the
26 Department of Finance and Administration’s Disbursing Act, for the Trial
27 Court Administrators and Official Court Reporters.

28 (ii) Any annual or biennial request for an increase in the
29 Administration of Justice Fund allocation section for Trial Court
30 Administrators and/or Official Court Reporters shall not exceed the total or
31 projected total revenues available for the Trial Court Administrator Fund or
32 the Court Reporter’s Fund from the Administration of Justice Fund as
33 determined by the Administrative Office of the Courts with assistance from
34 the Department of Finance and Administration.

35 (b) (i) During a fiscal year the Administrative Office of the Courts
36 shall not approve any change level in salary, operating expense and other

1 distributions for Trial Court Administrators which will exceed actual or
2 projected fund balances in the Trial Court Administrator Fund.

3 (ii) During a fiscal year the Administrative Office of the Courts
4 shall not approve any change level in salary, operating expense and other
5 distributions for Court Reporters which will exceed actual or projected fund
6 balances in the Court Reporter's Fund.

7 The provisions of this section shall be in effect only from July 1, ~~2018~~
8 2019 through June 30, ~~2019~~ 2020.

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

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

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29 SECTION 13. EMERGENCY CLAUSE. It is found and determined by the
30 General Assembly, that the Constitution of the State of Arkansas prohibits
31 the appropriation of funds for more than a one (1) year period; that the
32 effectiveness of this Act on July 1, 2019 is essential to the operation of
33 the agency for which the appropriations in this Act are provided, and that in
34 the event of an extension of the legislative session, the delay in the
35 effective date of this Act beyond July 1, 2019 could work irreparable harm
36 upon the proper administration and provision of essential governmental

1 programs. Therefore, an emergency is hereby declared to exist and this Act
2 being necessary for the immediate preservation of the public peace, health
3 and safety shall be in full force and effect from and after July 1, 2019.

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6 */s/Joint Budget Committee*

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9 **APPROVED: 4/5/19**

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