

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

HOUSE BILL 1396

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
9 IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF
10 CORRECTIONS - DIVISION OF COMMUNITY CORRECTION; AND
11 FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF CORRECTIONS
15 - DIVISION OF COMMUNITY CORRECTION
16 REAPPROPRIATION.
17
18
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. REAPPROPRIATION - CAPITAL IMPROVEMENT PROJECTS. There is
23 hereby appropriated, to the Department of Corrections, to be payable from the
24 Development and Enhancement Fund, for the Department of Corrections -
25 Division of Community Correction the following:

26 (A) Effective July 1, 2021, the balance of the appropriation provided
27 in Item (A) of Section 1 of Act 10 of 2020, for various maintenance,
28 acquisition, replacement, repair, expansion, construction, equipping,
29 renovation, purchase, improvement and upgrade of real property and facilities
30 of the Division of Community Correction, in a sum not to exceed
31\$10,000,000.

32 (B) Effective July 1, 2021, the balance of the appropriation provided
33 in Item (B) of Section 1 of Act 10 of 2020, for replacement of HVAC Actuators
34 and Controllers, and valves for Actuators at CAC in Little Rock, in a sum not
35 to exceed\$72,000.

36 (C) Effective July 1, 2021, the balance of the appropriation provided



1 in Item (C) of Section 1 of Act 10 of 2020, for replacement of Air Handler
2 Units, Actuators, and Controllers at ECCCC in West Memphis, in a sum not to
3 exceed\$270,000.

4 (D) Effective July 1, 2021, the balance of the appropriation provided
5 in Item (D) of Section 1 of Act 10 of 2020, for roof replacement at ECCCC in
6 West Memphis, in a sum not to exceed\$350,000.

7 (E) Effective July 1, 2021, the balance of the appropriation provided
8 in Item (E) of Section 1 of Act 10 of 2020, for Heating Water System (VFD)
9 and Sensor Controllers at Omega in Malvern, in a sum not to exceed ..\$20,000.

10 (F) Effective July 1, 2021, the balance of the appropriation provided
11 in Item (F) of Section 1 of Act 10 of 2020, for Air Handler Upgrades at SWACC
12 in Texarkana - Hospital Renovation, in a sum not to exceed\$150,000.

13 (G) Effective July 1, 2021, the balance of the appropriation provided
14 in Item (G) of Section 1 of Act 10 of 2020, for replacement of Domestic Hot
15 Water Tank and Controllers at NEACC in Osceola, in a sum not to exceed
16\$16,000.

17 (H) Effective July 1, 2021, the balance of the appropriation provided
18 in Item (H) of Section 1 of Act 10 of 2020, for repaving/resurfacing parking
19 lot at NEACC in Osceola, in a sum not to exceed\$420,000.

20 (I) Effective July 1, 2021, the balance of the appropriation provided
21 in Item (I) of Section 1 of Act 10 of 2020, for replacement of HVAC Controls
22 at NWCCC in Fayetteville, in a sum not to exceed\$120,000.

23 (J) Effective July 1, 2021, the balance of the appropriation provided
24 in Item (J) of Section 1 of Act 10 of 2020, for increasing capacity by 135
25 beds at Southwest Community Correction Center in Texarkana, in a sum not to
26 exceed\$97,562.

27 (K) Effective July 1, 2021, the balance of the appropriation provided
28 in Item (K) of Section 1 of Act 10 of 2020, for increasing capacity by adding
29 100 beds to East Central Community Correction Center in West Memphis, in a
30 sum not to exceed\$74,706.

31
32 SECTION 2. REAPPROPRIATION - CAPITAL IMPROVEMENT PROJECTS - SPECIAL
33 REVENUE. There is hereby appropriated, to the Department of Corrections, to
34 be payable from the Community Correction Revolving Fund, for the Department
35 of Corrections - Division of Community Correction the following:

36 (A) Effective July 1, 2021, the balance of the appropriation provided

1 in Section 2 of Act 10 of 2020, for maintenance, acquisition, replacement,
2 repair, expansion, construction, equipping, renovation, purchase, improvement
3 and upgrade of real property and facilities of the Division of Community
4 Correction, in a sum not to exceed\$10,000,000.
5

6 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
7 obligations otherwise incurred in relation to the project or projects
8 described herein in excess of the State Treasury funds actually available
9 therefor as provided by law. Provided, however, that institutions and
10 agencies listed herein shall have the authority to accept and use grants and
11 donations including Federal funds, and to use its unobligated cash income or
12 funds, or both available to it, for the purpose of supplementing the State
13 Treasury funds for financing the entire costs of the project or projects
14 enumerated herein. Provided further, that the appropriations and funds
15 otherwise provided by the General Assembly for Maintenance and General
16 Operations of the agency or institutions receiving appropriation herein shall
17 not be used for any of the purposes as appropriated in this act.

18 (B) The restrictions of any applicable provisions of the State
19 Purchasing Law, the General Accounting and Budgetary Procedures Law, the
20 Revenue Stabilization Law and any other applicable fiscal control laws of
21 this State and regulations promulgated by the Department of Finance and
22 Administration, as authorized by law, shall be strictly complied with in
23 disbursement of any funds provided by this act unless specifically provided
24 otherwise by law.
25

26 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General
27 Assembly that any funds disbursed under the authority of the appropriations
28 contained in this act shall be in compliance with the stated reasons for
29 which this act was adopted, as evidenced by the Agency Requests, Executive
30 Recommendations and Legislative Recommendations contained in the budget
31 manuals prepared by the Department of Finance and Administration, letters, or
32 summarized oral testimony in the official minutes of the Arkansas Legislative
33 Council or Joint Budget Committee which relate to its passage and adoption.
34

35 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General
36 Assembly, that the Constitution of the State of Arkansas prohibits the

1 appropriation of funds for more than a one (1) year period; that the
2 effectiveness of this Act on July 1, 2021 is essential to the operation of
3 the agency for which the appropriations in this Act are provided, and that in
4 the event of an extension of the legislative session, the delay in the
5 effective date of this Act beyond July 1, 2021 could work irreparable harm
6 upon the proper administration and provision of essential governmental
7 programs. Therefore, an emergency is hereby declared to exist and this Act
8 being necessary for the immediate preservation of the public peace, health
9 and safety shall be in full force and effect from and after July 1, 2021.

10
11
12 **APPROVED: 3/1/21**
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36