

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

HOUSE BILL 1378

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 CORRECTION; AND FOR OTHER
11 PURPOSES.
12
13

Subtitle

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

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

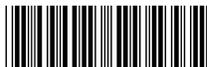
21 SECTION 1. REAPPROPRIATION - CAPITAL IMPROVEMENT PROJECTS. There is
22 hereby appropriated, to the Department of Corrections, to be payable from the
23 Development and Enhancement Fund, for the Department of Corrections -
24 Division of Correction the following:

25 (A) Effective July 1, 2023, the balance of the appropriation provided
26 in Section 19 of Act 203 of 2022, for costs associated with prison expansion,
27 in a sum not to exceed\$75,000,000.

28 (B) Effective July 1, 2023, the balance of the appropriation provided
29 in Item (O) of Section 2 of Act 104 of 2022, for personal services and
30 operating expenses of the Division of Correction - Female Work Release - Pine
31 Bluff, in a sum not to exceed\$867,610.

32 (C) Effective July 1, 2023, the balance of the appropriation provided
33 in Item (P) of Section 2 of Act 104 of 2022, for operating expenses of the
34 Tucker Unit, in a sum not to exceed\$74,627.

35 (D) Effective July 1, 2023, the balance of the appropriation provided
36 in Item (Q) of Section 2 of Act 104 of 2022, for maintenance, replacement,



1 repair, expansion, construction, equipping, renovation, purchase, improvement
2 and upgrade of existing facilities of the Division of Correction, in a sum
3 not to exceed\$1,558,532.

4 (E) Effective July 1, 2023, the balance of the appropriation provided
5 in Item (T) of Section 2 of Act 104 of 2022, for construction of two armories
6 at the Varner and Tucker units, in a sum not to exceed\$4,942.

7 (F) Effective July 1, 2023, the balance of the appropriation provided
8 in Item (U) of Section 2 of Act 104 of 2022, for replacement of the existing
9 Water Treatment Plant at the Tucker Unit, in a sum not to exceed ...\$939,891.

10
11 SECTION 2. REAPPROPRIATION - VARIOUS INDUSTRY PROJECTS - CASH. There
12 is hereby appropriated, to the Department of Corrections, to be payable from
13 the cash fund deposited in the State Treasury as determined by the Chief
14 Fiscal Officer of the State, for the Department of Corrections - Division of
15 Correction the following:

16 (A) Effective July 1, 2023, the balance of the appropriation provided
17 in Item (A) of Section 4 of Act 104 of 2022, for construction, renovation and
18 major maintenance of facilities and Central Warehouse of the Division of
19 Correction, in a sum not to exceed\$5,000,000.

20
21 SECTION 3. REAPPROPRIATION - VARIOUS INDUSTRY PROJECTS. There is
22 hereby appropriated, to the Department of Corrections, to be payable from the
23 Division of Correction Prison Industry Fund, for the Department of
24 Corrections - Division of Correction the following:

25 (A) Effective July 1, 2023, the balance of the appropriation provided
26 in Item (A) of Section 5 of Act 104 of 2022, for maintenance, replacement,
27 repair, expansion, construction, equipping, renovation, purchase, improvement
28 and upgrade of the Department of Corrections - Various Industry Projects, in
29 a sum not to exceed\$976,645.

30 (B) Effective July 1, 2023, the balance of the appropriation provided
31 in Item (B) of Section 5 of Act 104 of 2022, for maintenance, replacement,
32 repair, expansion, construction, equipping, renovation, purchase, improvement
33 and upgrade of the Division of Correction - Various Industry Projects, in a
34 sum not to exceed\$6,312.

35 (C) Effective July 1, 2023, the balance of the appropriation provided
36 in Item (C) of Section 5 of Act 104 of 2022, for various industry projects

1 including storage at the Wrightsville Unit near the industry buildings, in a
2 sum not to exceed\$150,000.

3 (D) Effective July 1, 2023, the balance of the appropriation provided
4 in Item (D) of Section 5 of Act 104 of 2022, for various industry projects
5 for maintenance, replacement, repair, expansion, construction, equipping,
6 renovation, purchase, improvement and upgrade of the Division of Correction,
7 in a sum not to exceed\$1,000,000.

8 (E) Effective July 1, 2023, the balance of the appropriation provided
9 in Item (E) of Section 5 of Act 104 of 2022, for construction, renovation and
10 major maintenance of facilities and Central Warehouse, in a sum not to exceed
11\$5,000,000.

12
13 SECTION 4. REAPPROPRIATION - VARIOUS FARM PROJECTS. There is hereby
14 appropriated, to the Department of Corrections, to be payable from the
15 Division of Correction Farm Fund, for the Department of Corrections -
16 Division of Correction the following:

17 (A) Effective July 1, 2023, the balance of the appropriation provided
18 in Item (A) of Section 6 of Act 104 of 2022, for maintenance, replacement,
19 repair, expansion, construction, equipping, renovation, purchase, improvement
20 and upgrade of the Department of Corrections - Various Farm Projects, in a
21 sum not to exceed\$1,000,000.

22 (B) Effective July 1, 2023, the balance of the appropriation provided
23 in Item (B) of Section 6 of Act 104 of 2022, for maintenance, replacement,
24 repair, expansion, construction, equipping, renovation, purchase, improvement
25 and upgrade of the Division of Correction - Various Farm Projects, in a sum
26 not to exceed\$140,534.

27 (C) Effective July 1, 2023, the balance of the appropriation provided
28 in Item (E) of Section 6 of Act 104 of 2022, for renovation of the current
29 dairy facility and replacement of equipment, in a sum not to exceed
30\$2,799,800.

31 (D) Effective July 1, 2023, the balance of the appropriation provided
32 in Item (F) of Section 6 of Act 104 of 2022, for construction of grain
33 storage bins at Cummins, Tucker and East Arkansas Units, in a sum not to
34 exceed\$2,430,250.

35 (E) Effective July 1, 2023, the balance of the appropriation provided
36 in Item (G) of Section 6 of Act 104 of 2022, for maintenance and repair to

1 upgrade the existing feed mill at the Cummins Unit, in a sum not to exceed
2\$889,750.

3 (F) Effective July 1, 2023, the balance of the appropriation provided
4 in Item (H) of Section 6 of Act 104 of 2022, for Irrigation Project at
5 Tucker/Cummins, in a sum not to exceed\$110,000.

6 (G) Effective July 1, 2023, the balance of the appropriation provided
7 in Item (I) of Section 6 of Act 104 of 2022, for various farm projects for
8 maintenance, replacement, repair, expansion, construction, equipping,
9 renovation, purchase, improvement and upgrade of the Division of Correction,
10 in a sum not to exceed\$1,000,000.

11
12 SECTION 5. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
13 obligations otherwise incurred in relation to the project or projects
14 described herein in excess of the State Treasury funds actually available
15 therefor as provided by law. Provided, however, that institutions and
16 agencies listed herein shall have the authority to accept and use grants and
17 donations including Federal funds, and to use its unobligated cash income or
18 funds, or both available to it, for the purpose of supplementing the State
19 Treasury funds for financing the entire costs of the project or projects
20 enumerated herein. Provided further, that the appropriations and funds
21 otherwise provided by the General Assembly for Maintenance and General
22 Operations of the agency or institutions receiving appropriation herein shall
23 not be used for any of the purposes as appropriated in this act.

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

31
32 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General
33 Assembly that any funds disbursed under the authority of the appropriations
34 contained in this act shall be in compliance with the stated reasons for
35 which this act was adopted, as evidenced by the Agency Requests, Executive
36 Recommendations and Legislative Recommendations contained in the budget

1 manuals prepared by the Department of Finance and Administration, letters, or
 2 summarized oral testimony in the official minutes of the Arkansas Legislative
 3 Council or Joint Budget Committee which relate to its passage and adoption.
 4

5 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
 6 Assembly, that the Constitution of the State of Arkansas prohibits the
 7 appropriation of funds for more than a one (1) year period; that the
 8 effectiveness of this Act on July 1, 2023 is essential to the operation of
 9 the agency for which the appropriations in this Act are provided, and that in
 10 the event of an extension of the legislative session, the delay in the
 11 effective date of this Act beyond July 1, 2023 could work irreparable harm
 12 upon the proper administration and provision of essential governmental
 13 programs. Therefore, an emergency is hereby declared to exist and this Act
 14 being necessary for the immediate preservation of the public peace, health
 15 and safety shall be in full force and effect from and after July 1, 2023.
 16

17
 18 **APPROVED: 2/27/23**
 19
 20
 21
 22
 23
 24
 25
 26
 27
 28
 29
 30
 31
 32
 33
 34
 35
 36