

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 921 of the Regular Session

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: H2/25/05

A Bill

HOUSE BILL 1646

5 By: Representatives Boyd, Mahony, Wills
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For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR THE PAYMENT
10 OF REIMBURSEMENT TO COUNTIES HOUSING STATE
11 INMATES FOR THE DEPARTMENT OF CORRECTION AND THE
12 DEPARTMENT OF COMMUNITY CORRECTION WHICH SHALL BE
13 SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS
14 APPROPRIATED BY ACT 811 OF 2003 AND BY ACT 18 OF
15 THE 2ND EXTRAORDINARY SESSION OF 2003; AND FOR
16 OTHER PURPOSES.
17
18

Subtitle

19 AN ACT FOR THE DEPARTMENT OF CORRECTION
20 AND THE DEPARTMENT OF COMMUNITY
21 CORRECTION COUNTY JAIL REIMBURSEMENT
22 SUPPLEMENTAL APPROPRIATION.
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25

26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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28 SECTION 1. APPROPRIATION - DEPARTMENT OF CORRECTION. There is hereby
29 appropriated, to the Department of Correction, to be payable from the County
30 Jail Reimbursement Fund, for the payment of reimbursement to counties housing
31 state inmates of the Department of Correction which shall be supplemental and
32 in addition to those funds appropriated in Section 1 of Act 811 of 2003, the
33 following:
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35 ITEM

FISCAL YEAR



1 NO. 2004-2005

2 (01) REIMBURSEMENT TO COUNTIES HOUSING

3 STATE INMATES \$ 3,355,635

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5 SECTION 2. APPROPRIATION - DEPARTMENT OF COMMUNITY CORRECTION. There is
6 hereby appropriated, to the Department of Community Correction, to be payable
7 from the County Jail Reimbursement Fund, for the payment of reimbursement to
8 counties housing state inmates of the Department of Community Correction
9 which shall be supplemental and in addition to those funds appropriated in
10 Section 1 of Act 18 of the 2nd Extraordinary Session of 2003, the following:

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12 ITEM FISCAL YEAR

13 NO. 2004-2005

14 (01) REIMBURSEMENT TO COUNTIES HOUSING

15 STATE INMATES \$ 1,500,000

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17 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SERPARATELY AS SPECIAL, LOCAL OR TEMPORARY LAW. FUNDING
19 TRANSFER. Immediately upon the effective date of this act, the Chief Fiscal
20 Officer of this State shall transfer on his or her books and those of the
21 State Treasurer and the Auditor of the State the sum of four million eight
22 hundred fifty five thousand six hundred thirty five dollars (\$4,855,635) from
23 the Federal Fiscal Relief Fund to the County Jail Reimbursement Fund to
24 provide funds for the appropriation provided herein.

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26 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
27 by this act shall be limited to the appropriation for such agency and funds
28 made available by law for the support of such appropriations; and the
29 restrictions of the State Procurement Law, the General Accounting and
30 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
31 Procedures and Restrictions Act, or their successors, and other fiscal
32 control laws of this State, where applicable, and regulations promulgated by
33 the Department of Finance and Administration, as authorized by law, shall be
34 strictly complied with in disbursement of said funds.

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36 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General Assembly

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

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9 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General
10 Assembly, that funds provided by the General Assembly for the operations of
11 the Department of Correction and the Department of Community Correction are,
12 due to unforeseen circumstances, insufficient for the Department of
13 Correction and the Department of Community Correction to reimburse counties
14 housing state inmates, an essential governmental service; that the provisions
15 of this act will provide the necessary monies for the Department of
16 Correction and the Department of Community Correction to continue such
17 services; and that a delay in the effective date of this Act could work
18 irreparable harm upon the proper administration and provision of essential
19 governmental programs. Therefore, an emergency is hereby declared to exist
20 and this Act being necessary for the immediate preservation of the public
21 peace, health and safety shall be in full force and effect from and after the
22 date of its passage and approval.

23 If the bill is neither approved nor vetoed by the Governor, it shall become
24 effective on the expiration of the period of time during which the Governor
25 may veto the bill. If the bill is vetoed by the Governor and the veto is
26 overridden, it shall become effective on the date the last house overrides
27 the veto.

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29 /s/ Boyd, et al

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32 **APPROVED: 3/18/2005**

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