

1 State of Arkansas
2 94th General Assembly
3 Fiscal Session, 2024
4

A Bill

HOUSE BILL 1085

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.
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Subtitle

14 AN ACT FOR THE DEPARTMENT OF CORRECTIONS
15 - DIVISION OF CORRECTION REAPPROPRIATION.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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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, 2024, the balance of the appropriation provided
26 in Item (A) of Section 1 of Act 151 of 2023, for costs associated with prison
27 expansion, in a sum not to exceed\$75,000,000.

28 (B) Effective July 1, 2024, the balance of the appropriation provided
29 in Item (B) of Section 1 of Act 151 of 2023, for personal services and
30 operating expenses of the Division of Correction - Female Work Release - Pine
31 Bluff, in a sum not to exceed\$722,567.

32 (C) Effective July 1, 2024, the balance of the appropriation provided
33 in Item (D) of Section 1 of Act 151 of 2023, for maintenance, replacement,
34 repair, expansion, construction, equipping, renovation, purchase, improvement
35 and upgrade of existing facilities of the Division of Correction, in a sum
36 not to exceed\$958,993.



1 (D) Effective July 1, 2024, the balance of the appropriation provided
2 in Item (E) of Section 1 of Act 151 of 2023, for construction of two armories
3 at the Varner and Tucker Units, in a sum not to exceed\$2,713.

4 (E) Effective July 1, 2024, the balance of the appropriation provided
5 in Item (F) of Section 1 of Act 151 of 2023, for replacement of the existing
6 Water Treatment Plant at the Tucker Unit, in a sum not to exceed ...\$920,018.

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8 SECTION 2. REAPPROPRIATION - CAPITAL IMPROVEMENT PROJECTS - CASH.

9 There is hereby appropriated, to the Department of Corrections, to be payable
10 from the cash fund deposited in the State Treasury as determined by the Chief
11 Fiscal Officer of the State, for the Department of Corrections - Division of
12 Correction the following:

13 (A) Effective July 1, 2024, the balance of the appropriation provided
14 in Item (A) of Section 1 of Act 153 of 2023, for generators at the
15 Wrightsville Unit, in a sum not to exceed\$300,000.

16 (B) Effective July 1, 2024, the balance of the appropriation provided
17 in Item (A) of Section 2 of Act 151 of 2023, 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.

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21 SECTION 3. REAPPROPRIATION - CAPITAL IMPROVEMENT PROJECTS - VARIOUS

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

26 (A) Effective July 1, 2024, the balance of the appropriation provided
27 in Item (A) of Section 3 of Act 153 of 2023, for various industry projects,
28 in a sum not to exceed\$1,000,000.

29 (B) Effective July 1, 2024, the balance of the appropriation provided
30 in Item (A) of Section 3 of Act 151 of 2023, for maintenance, replacement,
31 repair, expansion, construction, equipping, renovation, purchase, improvement
32 and upgrade of the Department of Corrections - Various Industry Projects, in
33 a sum not to exceed\$126,645.

34 (C) Effective July 1, 2024, the balance of the appropriation provided
35 in Item (B) of Section 3 of Act 151 of 2023, for maintenance, replacement,
36 repair, expansion, construction, equipping, renovation, purchase, improvement

1 and upgrade of the Division of Correction - Various Industry Projects, in a
2 sum not to exceed\$6,312.

3 (D) Effective July 1, 2024, the balance of the appropriation provided
4 in Item (C) of Section 3 of Act 151 of 2023, for various industry projects
5 including storage at the Wrightsville Unit near the industry buildings, in a
6 sum not to exceed\$150,000.

7 (E) Effective July 1, 2024, the balance of the appropriation provided
8 in Item (D) of Section 3 of Act 151 of 2023, for various industry projects
9 for maintenance, replacement, repair, expansion, construction, equipping,
10 renovation, purchase, improvement and upgrade of the Division of Correction,
11 in a sum not to exceed\$1,000,000.

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

17 (A) Effective July 1, 2024, the balance of the appropriation provided
18 in Item (A) of Section 2 of Act 153 of 2023, for various farm projects, in a
19 sum not to exceed\$1,000,000.

20 (B) Effective July 1, 2024, the balance of the appropriation provided
21 in Item (B) of Section 4 of Act 151 of 2023, for maintenance, replacement,
22 repair, expansion, construction, equipping, renovation, purchase,
23 improvement, and upgrade of the Division of Correction - Various Farm
24 Projects, in a sum not to exceed\$140,534.

25 (C) Effective July 1, 2024, the balance of the appropriation provided
26 in Item (C) of Section 4 of Act 151 of 2023, for renovation of the current
27 dairy facility and replacement of equipment, in a sum not to exceed
28\$2,799,800.

29 (D) Effective July 1, 2024, the balance of the appropriation provided
30 in Item (D) of Section 4 of Act 151 of 2023, for construction of grain
31 storage bins at Cummins, Tucker and East Arkansas Units, in a sum not to
32 exceed\$2,430,250.

33 (E) Effective July 1, 2024, the balance of the appropriation provided
34 in Item (E) of Section 4 of Act 151 of 2023, for maintenance and repair to
35 upgrade the existing feed mill at the Cummins Unit, in a sum not to exceed
36\$889,750.

1 (F) Effective July 1, 2024, the balance of the appropriation provided
2 in Item (F) of Section 4 of Act 151 of 2023, for Irrigation Project at
3 Tucker/Cummins, in a sum not to exceed\$110,000.
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5 SECTION 5. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
6 obligations otherwise incurred in relation to the project or projects
7 described herein in excess of the State Treasury funds actually available
8 therefor as provided by law. Provided, however, that institutions and
9 agencies listed herein shall have the authority to accept and use grants and
10 donations including Federal funds, and to use its unobligated cash income or
11 funds, or both available to it, for the purpose of supplementing the State
12 Treasury funds for financing the entire costs of the project or projects
13 enumerated herein. Provided further, that the appropriations and funds
14 otherwise provided by the General Assembly for Maintenance and General
15 Operations of the agency or institutions receiving appropriation herein shall
16 not be used for any of the purposes as appropriated in this act.

17 (B) The restrictions of any applicable provisions of the State
18 Purchasing Law, the General Accounting and Budgetary Procedures Law, the
19 Revenue Stabilization Law and any other applicable fiscal control laws of
20 this State and regulations promulgated by the Department of Finance and
21 Administration, as authorized by law, shall be strictly complied with in
22 disbursement of any funds provided by this act unless specifically provided
23 otherwise by law.
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25 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General
26 Assembly that any funds disbursed under the authority of the appropriations
27 contained in this act shall be in compliance with the stated reasons for
28 which this act was adopted, as evidenced by the Agency Requests, Executive
29 Recommendations and Legislative Recommendations contained in the budget
30 manuals prepared by the Department of Finance and Administration, letters, or
31 summarized oral testimony in the official minutes of the Arkansas Legislative
32 Council or Joint Budget Committee which relate to its passage and adoption.
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34 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
35 Assembly, that the Constitution of the State of Arkansas prohibits the
36 appropriation of funds for more than a one (1) year period; that the

1 effectiveness of this Act on July 1, 2024 is essential to the operation of
2 the agency for which the appropriations in this Act are provided, and that in
3 the event of an extension of the legislative session, the delay in the
4 effective date of this Act beyond July 1, 2024 could work irreparable harm
5 upon the proper administration and provision of essential governmental
6 programs. Therefore, an emergency is hereby declared to exist and this Act
7 being necessary for the immediate preservation of the public peace, health
8 and safety shall be in full force and effect from and after July 1, 2024.

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11 **APPROVED: 4/25/24**
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