

1 State of Arkansas
2 92nd General Assembly
3 Fiscal Session, 2020
4

A Bill

SENATE BILL 9

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 ARKANSAS PUBLIC
10 DEFENDER COMMISSION; AND FOR OTHER PURPOSES.
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Subtitle

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13 AN ACT FOR THE ARKANSAS PUBLIC DEFENDER
14 COMMISSION REAPPROPRIATION.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. REAPPROPRIATION - JUVENILE OFFENDERS. There is hereby
21 appropriated, to the Arkansas Public Defender Commission, to be payable from
22 the Development and Enhancement Fund, for the Arkansas Public Defender
23 Commission the following:

24 (A) Effective July 1, 2020, the balance of the appropriation provided
25 in Item (A) of Section 1 of Act 271 of 2019, for expenses related to the
26 resentencing of juveniles sentenced to mandatory life without parole, in a
27 sum not to exceed\$334,727.

28 (B) Effective July 1, 2020, the balance of the appropriation provided
29 in Section 1 of Act 361 of 2019, for expenses related to the resentencing of
30 juveniles sentenced to mandatory life without parole, in a sum not to exceed
31\$2,000,000.
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33 SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
34 obligations otherwise incurred in relation to the project or projects
35 described herein in excess of the State Treasury funds actually available
36 therefor as provided by law. Provided, however, that institutions and



1 agencies listed herein shall have the authority to accept and use grants and
2 donations including Federal funds, and to use its unobligated cash income or
3 funds, or both available to it, for the purpose of supplementing the State
4 Treasury funds for financing the entire costs of the project or projects
5 enumerated herein. Provided further, that the appropriations and funds
6 otherwise provided by the General Assembly for Maintenance and General
7 Operations of the agency or institutions receiving appropriation herein shall
8 not be used for any of the purposes as appropriated in this act.

9 (B) The restrictions of any applicable provisions of the State
10 Purchasing Law, the General Accounting and Budgetary Procedures Law, the
11 Revenue Stabilization Law and any other applicable fiscal control laws of
12 this State and regulations promulgated by the Department of Finance and
13 Administration, as authorized by law, shall be strictly complied with in
14 disbursement of any funds provided by this act unless specifically provided
15 otherwise by law.

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17 SECTION 3. LEGISLATIVE INTENT. It is the intent of the General
18 Assembly that any funds disbursed under the authority of the appropriations
19 contained in this act shall be in compliance with the stated reasons for
20 which this act was adopted, as evidenced by the Agency Requests, Executive
21 Recommendations and Legislative Recommendations contained in the budget
22 manuals prepared by the Department of Finance and Administration, letters, or
23 summarized oral testimony in the official minutes of the Arkansas Legislative
24 Council or Joint Budget Committee which relate to its passage and adoption.

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26 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General
27 Assembly, that the Constitution of the State of Arkansas prohibits the
28 appropriation of funds for more than a one (1) year period; that the
29 effectiveness of this Act on July 1, 2020 is essential to the operation of
30 the agency for which the appropriations in this Act are provided, and that in
31 the event of an extension of the legislative session, the delay in the
32 effective date of this Act beyond July 1, 2020 could work irreparable harm
33 upon the proper administration and provision of essential governmental
34 programs. Therefore, an emergency is hereby declared to exist and this Act
35 being necessary for the immediate preservation of the public peace, health
36 and safety shall be in full force and effect from and after July 1, 2020.