

Stricken language will be deleted and underlined language will be added.

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

As Engrossed: H2/4/21 H3/18/21

A Bill

HOUSE BILL 1206

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF
10 CORRECTIONS - DIVISION OF CORRECTION FOR THE FISCAL
11 YEAR ENDING JUNE 30, 2022; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF CORRECTIONS
15 - DIVISION OF CORRECTION APPROPRIATION
16 FOR THE 2021-2022 FISCAL YEAR.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. REGULAR SALARIES - SHARED SERVICES. There is hereby
23 established for the Department of Corrections for the 2021-2022 fiscal year,
24 the following maximum number of regular employees.
25

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2021-2022
30	(1) SC003	SECRETARY OF CORRECTIONS	1	GRADE SE05
31	(2) U083U	DOC CHIEF DEPUTY DIRECTOR	1	GRADE SE01
32	(3) D140C	DOC CHIEF INFORMATION OFFICER	1	GRADE IT11
33	(4) D012C	DATABASE SPECIALIST	1	GRADE IT08
34	(5) D094C	DCC PROJ & ENTERPRISE PROGRAM MGMT ADMIN	1	GRADE IT08
35	(6) D007C	INFORMATION SYSTEMS MANAGER	1	GRADE IT08
36	(7) D030C	INFORMATION SYSTEMS COORDINATOR	2	GRADE IT07



1	(8)	D017C INFORMATION SYSTEMS SECURITY SPECIALIST	1	GRADE IT07
2	(9)	D038C SENIOR SOFTWARE SUPPORT ANALYST	5	GRADE IT06
3	(10)	D061C INFORMATION SYSTEMS COORDINATION SPEC	1	GRADE IT05
4	(11)	D052C SOFTWARE SUPPORT ANALYST	10	GRADE IT05
5	(12)	D071C COMPUTER SUPPORT ANALYST	4	GRADE IT03
6	(13)	D079C COMPUTER SUPPORT TECHNICIAN	20	GRADE IT02
7	(14)	N039N ADC DEPUTY DIRECTOR	1	GRADE GS15
8	(15)	N048N ADC ASSISTANT DIRECTOR	2	GRADE GS14
9	(16)	N130N DOC SHARED SERVICES CHIEF	2	GRADE GS14
10	(17)	A108C ADC ASST CHIEF FINANCIAL OFFICER(CFO)	1	GRADE GS13
11	(18)	G024N ADC GENERAL COUNSEL	1	GRADE GS13
12	(19)	A010C AGENCY CONTROLLER II	1	GRADE GS13
13	(20)	G019C GENERAL COUNSEL	1	GRADE GS13
14	(21)	P003N ADC PUBLIC INFORMATION OFFICER	1	GRADE GS12
15	(22)	A021C AGENCY CONTROLLER I	1	GRADE GS12
16	(23)	G025C ATTORNEY SUPERVISOR	1	GRADE GS12
17	(24)	R006C HUMAN RESOURCES ADMINISTRATOR	2	GRADE GS12
18	(25)	A027C ACCOUNTING OPERATIONS MANAGER	1	GRADE GS11
19	(26)	R013C AGENCY HUMAN RESOURCES MANAGER	2	GRADE GS11
20	(27)	C112C ADC POLICY & RESEARCH COORDINATOR	1	GRADE GS10
21	(28)	V036C AGENCY PROCUREMENT ADMINISTRATOR	1	GRADE GS10
22	(29)	A050C AGENCY FISCAL MANAGER	1	GRADE GS09
23	(30)	G222C DOC INTERNAL AFFAIRS ADMINISTRATOR	1	GRADE GS09
24	(31)	E022C EDUCATION & INSTRUCTION MANAGER	1	GRADE GS09
25	(32)	A038C FISCAL SUPPORT MANAGER	1	GRADE GS09
26	(33)	P004C PUBLIC INFORMATION MANAGER	1	GRADE GS09
27	(34)	R021C BUDGET ANALYST	1	GRADE GS08
28	(35)	R014C PERSONNEL MANAGER	2	GRADE GS08
29	(36)	V007C PROCUREMENT COORDINATOR	2	GRADE GS08
30	(37)	X026C CRIMINAL DETENTION FACILITIES COORD	1	GRADE GS08
31	(38)	A062C RETIREMENT COORDINATOR	1	GRADE GS08
32	(39)	A089C ACCOUNTANT I	1	GRADE GS07
33	(40)	R024C ASSISTANT PERSONNEL MANAGER	2	GRADE GS07
34	(41)	G154C DCC PROGRAM COORDINATOR	1	GRADE GS07
35	(42)	A063C RESEARCH & STATISTICS SUPERVISOR	1	GRADE GS07
36	(43)	S011C ADC COMMODITY & FOOD SVC ADMR	1	GRADE GS06

1	(44)	S027C ADC INDUSTRIAL SUPERVISOR II	1	GRADE GS06
2	(45)	C037C ADMINISTRATIVE ANALYST	5	GRADE GS06
3	(46)	X133C DOC INTERNAL AFFAIRS INVESTIGATOR	7	GRADE GS06
4	(47)	T065C DOC CORRECTIONAL SERGEANT	1	GRADE GS06
5	(48)	R030C EEO/GRIEVANCE OFFICER	1	GRADE GS06
6	(49)	A074C FISCAL SUPPORT SUPERVISOR	6	GRADE GS06
7	(50)	G180C GRANTS ANALYST	1	GRADE GS06
8	(51)	R029C HUMAN RESOURCES RECRUITER	1	GRADE GS06
9	(52)	T103C LAW ENFORCEMENT TRAINING INSTRUCTOR	1	GRADE GS06
10	(53)	P027C PUBLIC INFORMATION SPECIALIST	1	GRADE GS06
11	(54)	M048C SUBSTANCE ABUSE PROGRAM LEADER	1	GRADE GS06
12	(55)	C050C ADMINISTRATIVE SUPPORT SUPERVISOR	1	GRADE GS05
13	(56)	R033C BENEFITS ANALYST	1	GRADE GS05
14	(57)	V014C BUYER	6	GRADE GS05
15	(58)	V013C CENTRAL WAREHOUSE OPERATIONS MGR	1	GRADE GS05
16	(59)	X128C CORRECTIONAL UNIT ACCREDITATION SPEC	1	GRADE GS05
17	(60)	T075C DOC CORPORAL	2	GRADE GS05
18	(61)	C024C DOC RECORDS SUPERVISOR	1	GRADE GS05
19	(62)	A091C FISCAL SUPPORT ANALYST	11	GRADE GS05
20	(63)	R031C INSTITUTION HUMAN RESOURCES COORD	1	GRADE GS05
21	(64)	A090C PAYROLL SERVICES SPECIALIST	1	GRADE GS05
22	(65)	V015C PURCHASING SPECIALIST	6	GRADE GS05
23	(66)	E051C STAFF DEVELOPMENT SPECIALIST	2	GRADE GS05
24	(67)	C056C ADMINISTRATIVE SPECIALIST III	10	GRADE GS04
25	(68)	R037C BENEFITS TECHNICIAN	1	GRADE GS04
26	(69)	A098C FISCAL SUPPORT SPECIALIST	25	GRADE GS04
27	(70)	R038C HUMAN RESOURCES ASSISTANT	1	GRADE GS04
28	(71)	R036C HUMAN RESOURCES SPECIALIST	5	GRADE GS04
29	(72)	V020C INVENTORY CONTROL MANAGER	1	GRADE GS04
30	(73)	A097C PAYROLL TECHNICIAN	2	GRADE GS04
31	(74)	V022C PURCHASING TECHNICIAN	2	GRADE GS04
32	(75)	C073C ADMINISTRATIVE SPECIALIST II	5	GRADE GS03
33	(76)	C087C ADMINISTRATIVE SPECIALIST I	2	GRADE GS02
34	(77)	V030C SHIPPING & RECEIVING CLERK	<u>1</u>	GRADE GS02
35		MAX. NO. OF EMPLOYEES	201	

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SECTION 2. APPROPRIATION - SHARED SERVICES PAYING ACCOUNT. There is hereby appropriated, to the Department of Corrections, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Corrections - Shared Services for the fiscal year ending June 30, 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) REGULAR SALARIES	\$9,229,204
(02) PERSONAL SERVICES MATCHING	3,214,987
(03) OVERTIME	100,000
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	7,617,723
(B) CONF. & TRAVEL	0
(C) PROF. FEES	82,925,152
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(05) PANDEMIC RELATED EXPENSES	5,000,000
(06) REGIONAL JAIL	<u>4,352,470</u>
TOTAL AMOUNT APPROPRIATED	<u>\$112,439,536</u>

SECTION 3. APPROPRIATION - COUNTY JAIL REIMBURSEMENT. There is hereby appropriated, to the Department of Corrections, to be payable from the County Jail Reimbursement Fund, for reimbursement to counties housing state inmates of the Department of Corrections - County Jail Reimbursement for the fiscal year ending June 30, 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) REFUNDS/REIMBURSEMENTS	<u>\$20,453,607</u>

SECTION 4. APPROPRIATION - CRIMINAL DETENTION FACILITY REVIEW. There is hereby appropriated, to the Department of Corrections, to be payable from the State Central Services Fund, for personal services and operating expenses of the Department of Corrections - Criminal Detention Facility Review for the fiscal year ending June 30, 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) REGULAR SALARIES	\$99,366
(02) PERSONAL SERVICES MATCHING	33,625
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	14,950
(B) CONF. & TRAVEL	1,300
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$149,241</u></u>

SECTION 5. APPROPRIATION - CRIMINAL DETENTION COMMITTEE EXPENSES.

There is hereby appropriated, to the Department of Corrections, to be payable from the Miscellaneous Agencies Fund Account, for operating expenses of the Department of Corrections - Criminal Detention Committee Expenses for the fiscal year ending June 30, 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$18,639
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$18,639</u></u>

SECTION 6. APPROPRIATION - TRANSPORTATION OF JUVENILE OFFENDERS. There is hereby appropriated, to the Department of Corrections, to be payable from the Miscellaneous Agencies Fund Account, for miscellaneous grants and aid of the Department of Corrections - Transportation of Juvenile Offenders for the fiscal year ending June 30, 2022, the following:

ITEM	FISCAL YEAR
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1 NO. 2021-2022
 2 (01) GRANTS AND AID - TRANSPORTATION OF JUVENILE OFFENDERS \$187,000

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4 SECTION 7. REGULAR SALARIES. There is hereby established for the
 5 Department of Corrections - Division of Correction for the 2021-2022 fiscal
 6 year, the following maximum number of regular employees.

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8 Maximum Annual
 9 Maximum Salary Rate
 10 Item Class No. of Fiscal Year
 11 No. Code Title Employees 2021-2022

12	(1)	U035U	ADC DIRECTOR	1	GRADE SE04
13	(2)	U062U	ADC CHIEF DEPUTY DIRECTOR	1	GRADE SE02
14	(3)	L001C	PSYCHOLOGIST SUPERVISOR	3	GRADE MP04
15	(4)	L097C	ADC PSYCHOLOGIST	12	GRADE MP03
16	(5)	L003C	PSYCHOLOGIST	1	GRADE MP03
17	(6)	L038C	REGISTERED NURSE	1	GRADE MP01
18	(7)	N039N	ADC DEPUTY DIRECTOR	2	GRADE GS15
19	(8)	N048N	ADC ASSISTANT DIRECTOR	1	GRADE GS14
20	(9)	G014N	ADC COMPLIANCE ATTORNEY	1	GRADE GS13
21	(10)	T001N	ADC SUPERINTENDENT	7	GRADE GS13
22	(11)	N120N	ADC FARM ADMINISTRATOR	1	GRADE GS12
23	(12)	N136N	ADC HEALTH SERVICE ADMINISTRATOR	2	GRADE GS12
24	(13)	N119N	ADC INDUSTRY ADMINISTRATOR	1	GRADE GS12
25	(14)	G025C	ATTORNEY SUPERVISOR	1	GRADE GS12
26	(15)	T005C	DOC CORRECTIONAL WARDEN	10	GRADE GS12
27	(16)	T109C	SEX OFFENDER COMM NOTIFCATION ASMT ADMIN	1	GRADE GS12
28	(17)	G047C	ATTORNEY SPECIALIST	2	GRADE GS11
29	(18)	T015C	DOC DEPUTY WARDEN	22	GRADE GS10
30	(19)	T006C	ADC HEAD FARM MANAGER II	3	GRADE GS09
31	(20)	T033C	DOC MAJOR	26	GRADE GS09
32	(21)	E022C	EDUCATION & INSTRUCTION MANAGER	2	GRADE GS09
33	(22)	B042C	ENGINEER	1	GRADE GS09
34	(23)	A038C	FISCAL SUPPORT MANAGER	1	GRADE GS09
35	(24)	M009C	LICENSED CERTIFIED SOCIAL WORKER	27	GRADE GS09
36	(25)	L033C	PSYCHOLOGICAL EXAMINER	4	GRADE GS09

1	(26)	L041C ADC ASST MEDICAL PROGRAM MANAGER	1	GRADE GS08
2	(27)	S094C ADC CONSTRUCTION/MAINTENANCE COORD	4	GRADE GS08
3	(28)	T021C ADC HEAD FARM MANAGER I	3	GRADE GS08
4	(29)	S010C ADC INDUSTRY PROGRAM MANAGER	8	GRADE GS08
5	(30)	M031C ADMINISTRATOR OF CHAPLAINCY SVCS	1	GRADE GS08
6	(31)	T048C DOC CAPTAIN	55	GRADE GS08
7	(32)	T104C DOC TRAINING ACADEMY SUPERVISOR	1	GRADE GS08
8	(33)	A066C INTERNAL AUDITOR	2	GRADE GS08
9	(34)	M088C LICENSED MASTER SOCIAL WORKER	7	GRADE GS08
10	(35)	M020C LICENSED PROFESSIONAL COUNSELOR	74	GRADE GS08
11	(36)	V007C PROCUREMENT COORDINATOR	2	GRADE GS08
12	(37)	G121C REHAB PROGRAM MANAGER	9	GRADE GS08
13	(38)	A060C SENIOR AUDITOR	1	GRADE GS08
14	(39)	T034C WORK RELEASE CENTER SUPERVISOR	3	GRADE GS08
15	(40)	G142C ADC CLASSIFICATION ADMINISTRATOR	1	GRADE GS07
16	(41)	S096C ADC CONSTRUCTION PROJECT SUPERVISOR	15	GRADE GS07
17	(42)	A081C AUDITOR	1	GRADE GS07
18	(43)	G159C DEPARTMENT BUSINESS COORDINATOR	1	GRADE GS07
19	(44)	S019C DIRECTOR OF MAINTENANCE	10	GRADE GS07
20	(45)	T059C DOC FOOD PREPARATION MANAGER	20	GRADE GS07
21	(46)	T054C DOC LIEUTENANT	159	GRADE GS07
22	(47)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	2	GRADE GS07
23	(48)	M026C LICENSED SOCIAL WORKER	1	GRADE GS07
24	(49)	L052C REHAB FACILITY SUPERVISOR	6	GRADE GS07
25	(50)	M049C SENIOR CHAPLAIN	7	GRADE GS07
26	(51)	E041C SENIOR LIBRARIAN	1	GRADE GS07
27	(52)	M023C SUBSTANCE ABUSE PROGRAM COORD	4	GRADE GS07
28	(53)	B040C ADC AGRICULTURE PRODUCTION SUPERVISOR	2	GRADE GS06
29	(54)	T040C ADC ASSISTANT HEAD FARM MANAGER	5	GRADE GS06
30	(55)	S095C ADC CONSTRUCTION PROJECT SPECIALIST	9	GRADE GS06
31	(56)	S027C ADC INDUSTRIAL SUPERVISOR II	19	GRADE GS06
32	(57)	G141C ADC INDUSTRY ASSISTANT ADMR	1	GRADE GS06
33	(58)	S105C ADC INDUSTRY PROGRAM SPECIALIST	2	GRADE GS06
34	(59)	T039C ADC INMATE TRANSPORTATION COORD	1	GRADE GS06
35	(60)	C037C ADMINISTRATIVE ANALYST	15	GRADE GS06
36	(61)	T053C AGRICULTURE UNIT SUPERVISOR II	31	GRADE GS06

1	(62)	M044C ASSOCIATE PROFESSIONAL COUNSELOR	14	GRADE GS06
2	(63)	M057C CHAPLAIN	18	GRADE GS06
3	(64)	L058C DISEASE INTERVENTION SPECIALIST	3	GRADE GS06
4	(65)	X133C DOC INTERNAL AFFAIRS INVESTIGATOR	2	GRADE GS06
5	(66)	T065C DOC CORRECTIONAL SERGEANT	886	GRADE GS06
6	(67)	T070C DOC FOOD PREPARATION SUPERVISOR	86	GRADE GS06
7	(68)	T103C LAW ENFORCEMENT TRAINING INSTRUCTOR	6	GRADE GS06
8	(69)	G178C POLICY DEVELOPMENT COORDINATOR	1	GRADE GS06
9	(70)	C026C RECORDS/INTAKE SUPERVISOR	1	GRADE GS06
10	(71)	B076C RESEARCH PROJECT ANALYST	1	GRADE GS06
11	(72)	T061C SENIOR INTELLIGENCE ANALYST	1	GRADE GS06
12	(73)	S016C SKILLED TRADES FOREMAN	1	GRADE GS06
13	(74)	S022C SKILLED TRADES SUPERVISOR	1	GRADE GS06
14	(75)	M048C SUBSTANCE ABUSE PROGRAM LEADER	46	GRADE GS06
15	(76)	T041C WORK RELEASE PROGRAM SUPERVISOR	4	GRADE GS06
16	(77)	G216C ADC INMATE GRIEVANCE COORDINATOR	23	GRADE GS05
17	(78)	P044C ADC SALES REPRESENTATIVE	5	GRADE GS05
18	(79)	T071C ADC UNIT TRAINING SUPERVISOR	17	GRADE GS05
19	(80)	T058C AGRICULTURE UNIT SUPERVISOR I	3	GRADE GS05
20	(81)	C022C BUSINESS OPERATIONS SPECIALIST	17	GRADE GS05
21	(82)	G215C CAREER PLANNING & PLACEMENT SPECIALIST	2	GRADE GS05
22	(83)	G200C CLASSIFICATION & ASSIGNMENT OFFICER	20	GRADE GS05
23	(84)	X128C CORRECTIONAL UNIT ACCREDITATION SPEC	12	GRADE GS05
24	(85)	X127C DISCIPLINARY HEARING OFFICER	6	GRADE GS05
25	(86)	T076C DOC ADMIN REVIEW OFFICER	6	GRADE GS05
26	(87)	M059C DOC ADVISOR	14	GRADE GS05
27	(88)	S026C DOC ASST MAINTENANCE SUPERVISOR	14	GRADE GS05
28	(89)	T075C DOC CORPORAL	2,376	GRADE GS05
29	(90)	M058C DOC PROGRAM SPECIALIST	15	GRADE GS05
30	(91)	C024C DOC RECORDS SUPERVISOR	23	GRADE GS05
31	(92)	A091C FISCAL SUPPORT ANALYST	2	GRADE GS05
32	(93)	R031C INSTITUTION HUMAN RESOURCES COORD	15	GRADE GS05
33	(94)	V015C PURCHASING SPECIALIST	1	GRADE GS05
34	(95)	M065C RECREATIONAL ACTIVITY SUPERVISOR	20	GRADE GS05
35	(96)	S043C ADC INDUSTRIAL SUPERVISOR I	7	GRADE GS04
36	(97)	T077C ADC MAILROOM SERVICES COORDINATOR	15	GRADE GS04

1	(98)	C056C ADMINISTRATIVE SPECIALIST III	30	GRADE GS04
2	(99)	T083C DOC CORRECTIONAL OFFICER I	5	GRADE GS04
3	(100)	A098C FISCAL SUPPORT SPECIALIST	13	GRADE GS04
4	(101)	R038C HUMAN RESOURCES ASSISTANT	22	GRADE GS04
5	(102)	R036C HUMAN RESOURCES SPECIALIST	2	GRADE GS04
6	(103)	S051C INSTRUMENTATION TECHNICIAN	1	GRADE GS04
7	(104)	V020C INVENTORY CONTROL MANAGER	3	GRADE GS04
8	(105)	C046C LEGAL SUPPORT SPECIALIST	2	GRADE GS04
9	(106)	S046C MAINTENANCE TECHNICIAN	26	GRADE GS04
10	(107)	V024C ADC PROPERTY OFFICER	2	GRADE GS03
11	(108)	C073C ADMINISTRATIVE SPECIALIST II	73	GRADE GS03
12	(109)	T081C COMMISSARY MANAGER	29	GRADE GS03
13	(110)	C087C ADMINISTRATIVE SPECIALIST I	<u>106</u>	GRADE GS02
14		MAX. NO. OF EMPLOYEES	4,616	

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16 SECTION 8. EXTRA HELP. There is hereby authorized, for the Department
 17 of Corrections - Division of Correction for the 2021-2022 fiscal year, the
 18 following maximum number of part-time or temporary employees, to be known as
 19 "Extra Help", payable from funds appropriated herein for such purposes: one
 20 hundred seventy (170) temporary or part-time employees, when needed, at rates
 21 of pay not to exceed those provided in the Uniform Classification and
 22 Compensation Act, or its successor, or this act for the appropriate
 23 classification.

24

25 SECTION 9. APPROPRIATION - INMATE CARE & CUSTODY. There is hereby
 26 appropriated, to the Department of Corrections, to be payable from the
 27 Division of Correction Inmate Care and Custody Fund Account, for personal
 28 services and operating expenses of the Department of Corrections - Division
 29 of Correction - Inmate Care & Custody for the fiscal year ending June 30,
 30 2022, the following:

31

32	ITEM	FISCAL YEAR
33	<u>NO.</u>	<u>2021-2022</u>
34	(01) REGULAR SALARIES	\$174,497,617
35	(02) EXTRA HELP	100,000
36	(03) PERSONAL SERVICES MATCHING	66,605,896

1	(04) OVERTIME	2,550,000
2	(05) MAINT. & GEN. OPERATION	
3	(A) OPER. EXPENSE	53,137,879
4	(B) CONF. & TRAVEL	155,398
5	(C) PROF. FEES	683,785
6	(D) CAP. OUTLAY	1,380,412
7	(E) DATA PROC.	0
8	(06) JAIL CONTRACTS	1,533,000
9	(07) OUT-OF-STATE-BEDS	2,213,568
10	(08) HOLIDAY COMPENSATION	5,500,000
11	(09) ENERGY SAVINGS & EFFICIENCIES	<u>1,431,465</u>
12	TOTAL AMOUNT APPROPRIATED	<u>\$309,789,020</u>

13

14 SECTION 10. APPROPRIATION - INMATE WELFARE PROGRAM. There is hereby
 15 appropriated, to the Department of Corrections, to be payable from the cash
 16 fund deposited in the State Treasury as determined by the Chief Fiscal
 17 Officer of the State, for personal services and operating expenses of the
 18 Department of Corrections - Division of Correction - Inmate Welfare Program
 19 for the fiscal year ending June 30, 2022, the following:

20

21	ITEM	FISCAL YEAR
22	<u>NO.</u>	<u>2021-2022</u>
23	(01) REGULAR SALARIES	\$836,333
24	(02) PERSONAL SERVICES MATCHING	356,016
25	(03) MAINT. & GEN. OPERATION	
26	(A) OPER. EXPENSE	13,028,560
27	(B) CONF. & TRAVEL	0
28	(C) PROF. FEES	0
29	(D) CAP. OUTLAY	0
30	(E) DATA PROC.	<u>0</u>
31	TOTAL AMOUNT APPROPRIATED	<u>\$14,220,909</u>

32

33 SECTION 11. APPROPRIATION - WORK RELEASE PROGRAM. There is hereby
 34 appropriated, to the Department of Corrections, to be payable from the cash
 35 fund deposited in the State Treasury as determined by the Chief Fiscal
 36 Officer of the State, for operating expenses and debt service of the

1 Department of Corrections - Division of Correction - Work Release Program for
2 the fiscal year ending June 30, 2022, the following:

3		
4	ITEM	FISCAL YEAR
5	<u>NO.</u>	<u>2021-2022</u>
6	(01) MAINT. & GEN. OPERATION	
7	(A) OPER. EXPENSE	\$5,394,120
8	(B) CONF. & TRAVEL	104,150
9	(C) PROF. FEES	100,000
10	(D) CAP. OUTLAY	2,427,590
11	(E) DATA PROC.	0
12	(02) DEBT SERVICE	<u>0</u>
13	TOTAL AMOUNT APPROPRIATED	<u>\$8,025,860</u>

14

15 SECTION 12. APPROPRIATION - PRISON INDUSTRY PROGRAM. There is hereby
16 appropriated, to the Department of Corrections, to be payable from the
17 Division of Correction Prison Industry Fund, for personal services and
18 operating expenses of the Department of Corrections - Division of Correction
19 - Prison Industry Program for the fiscal year ending June 30, 2022, the
20 following:

21

22	ITEM	FISCAL YEAR
23	<u>NO.</u>	<u>2021-2022</u>
24	(01) REGULAR SALARIES	\$2,190,740
25	(02) EXTRA HELP	10,000
26	(03) PERSONAL SERVICES MATCHING	818,790
27	(04) OVERTIME	8,000
28	(05) MAINT. & GEN. OPERATION	
29	(A) OPER. EXPENSE	6,905,213
30	(B) CONF. & TRAVEL	41,280
31	(C) PROF. FEES	100,000
32	(D) CAP. OUTLAY	170,000
33	(E) DATA PROC.	<u>0</u>
34	TOTAL AMOUNT APPROPRIATED	<u>\$10,244,023</u>

35

36 SECTION 13. APPROPRIATION - FARM OPERATIONS PROGRAM. There is hereby

1 appropriated, to the Department of Corrections, to be payable from the
 2 Division of Correction Farm Fund, for personal services and operating
 3 expenses of the Department of Corrections - Division of Correction - Farm
 4 Operations Program for the fiscal year ending June 30, 2022, the following:

6	ITEM	FISCAL YEAR
7	<u>NO.</u>	<u>2021-2022</u>
8	(01) REGULAR SALARIES	\$2,871,466
9	(02) EXTRA HELP	10,000
10	(03) PERSONAL SERVICES MATCHING	1,032,042
11	(04) MAINT. & GEN. OPERATION	
12	(A) OPER. EXPENSE	11,900,000
13	(B) CONF. & TRAVEL	53,010
14	(C) PROF. FEES	138,354
15	(D) CAP. OUTLAY	490,000
16	(E) DATA PROC.	0
17	(05) PURCHASE CATTLE/MEAT	<u>650,000</u>
18	TOTAL AMOUNT APPROPRIATED	<u><u>\$17,144,872</u></u>

19

20 SECTION 14. APPROPRIATION - NON-TAX REVENUE RECEIPTS. There is hereby
 21 appropriated, to the Department of Corrections, to be payable from the cash
 22 fund deposited in the State Treasury as determined by the Chief Fiscal
 23 Officer of the State, for operating expenses of the Department of Corrections
 24 - Division of Correction - Non-Tax Revenue Receipts for the fiscal year
 25 ending June 30, 2022, the following:

26

27	ITEM	FISCAL YEAR
28	<u>NO.</u>	<u>2021-2022</u>
29	(01) MAINT. & GEN. OPERATION	
30	(A) OPER. EXPENSE	\$601,000
31	(B) CONF. & TRAVEL	0
32	(C) PROF. FEES	30,000
33	(D) CAP. OUTLAY	0
34	(E) DATA PROC.	0
35	(02) CONSTRUCTION	<u>1,870,200</u>
36	TOTAL AMOUNT APPROPRIATED	<u><u>\$2,501,200</u></u>

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SECTION 15. APPROPRIATION - ADC SEX OFFENDER ASSESSMENT. There is hereby appropriated, to the Department of Corrections, to be payable from the Sex and Child Offenders Registration Fund, for operating expenses of the Department of Corrections - Division of Correction - ADC Sex Offender Assessment for the fiscal year ending June 30, 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$25,000
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$25,000</u></u>

SECTION 16. APPROPRIATION - FIRE STATION - PROTECTION. There is hereby appropriated, to the Department of Corrections, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for operations of the Department of Corrections - Division of Correction - Fire Station - Protection for the fiscal year ending June 30, 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$25,000
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$25,000</u></u>

SECTION 17. APPROPRIATION - PAWS IN PRISON. There is hereby appropriated, to the Department of Corrections, to be payable from the cash

1 fund deposited in the State Treasury as determined by the Chief Fiscal
 2 Officer of the State, for operating expenses of the Department of Corrections
 3 - Division of Correction - Paws In Prison for the fiscal year ending June 30,
 4 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) PAWS IN PRISON	<u>\$150,000</u>

9
 10 SECTION 18. APPROPRIATION - MEDICAL MONETARY SANCTIONS. There is
 11 hereby appropriated, to the Department of Corrections, to be payable from the
 12 cash fund deposited in the State Treasury as determined by the Chief Fiscal
 13 Officer of the State, for comprehensive inmate/offender health services of
 14 the Department of Corrections - Division of Correction - Medical Monetary
 15 Sanctions for the fiscal year ending June 30, 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) MEDICAL MONETARY SANCTIONS	<u>\$1,700,000</u>

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 18
 19 SECTION 19. REGULAR SALARIES - RIVERSIDE VOCATIONAL TECHNICAL SCHOOL.
 20 There is hereby established for the Department of Corrections - Riverside
 21 Vocational Technical School for the 2021-2022 fiscal year, the following
 22 maximum number of regular employees.
 23
 24
 25

Item	Class	Maximum	Maximum Annual
<u>No.</u>	<u>Code Title</u>	<u>No. of</u>	<u>Salary Rate</u>
		<u>Employees</u>	<u>Fiscal Year</u>
			<u>2021-2022</u>
30	(1) N150N TECHNICAL INSTITUTE DIRECTOR	1	GRADE GS14
31	(2) E009C TECHNICAL INSTITUTE ASST DIRECTOR	3	GRADE GS12
32	(3) R021C BUDGET ANALYST	1	GRADE GS08
33	(4) E018C SPECIALIZED TECHNICAL FACULTY	5	GRADE GS08
34	(5) E027C CAREER & TECHNICAL FACULTY	22	GRADE GS07
35	(6) C056C ADMINISTRATIVE SPECIALIST III	2	GRADE GS04
36	(7) R036C HUMAN RESOURCES SPECIALIST	1	GRADE GS04

1 (8) C073C ADMINISTRATIVE SPECIALIST II 1 GRADE GS03
 2 MAX. NO. OF EMPLOYEES 36

3
 4 SECTION 20. APPROPRIATION - STATE. There is hereby appropriated, to
 5 the Department of Corrections, to be payable from the Riverside Vocational
 6 Technical School Fund, for personal services and operating expenses of the
 7 Department of Corrections - Riverside Vocational Technical School - State for
 8 the fiscal year ending June 30, 2022, the following:

10 ITEM	FISCAL YEAR
11 <u>NO.</u>	<u>2021-2022</u>
12 (01) REGULAR SALARIES	\$1,680,472
13 (02) PERSONAL SERVICES MATCHING	577,692
14 (03) MAINT. & GEN. OPERATION	
15 (A) OPER. EXPENSE	185,104
16 (B) CONF. & TRAVEL	4,000
17 (C) PROF. FEES	0
18 (D) CAP. OUTLAY	0
19 (E) DATA PROC.	<u>0</u>
20 TOTAL AMOUNT APPROPRIATED	<u><u>\$2,447,268</u></u>

21
 22 SECTION 21. APPROPRIATION - PLUMBING APPRENTICESHIP PROGRAM. There is
 23 hereby appropriated, to the Department of Corrections, to be payable from the
 24 Riverside Vocational Technical School Fund, for personal services of the
 25 Department of Corrections - Riverside Vocational Technical School - Plumbing
 26 Apprenticeship Program for the fiscal year ending June 30, 2022, the
 27 following:

29 ITEM	FISCAL YEAR
30 <u>NO.</u>	<u>2021-2022</u>
31 (01) REGULAR SALARIES	\$59,393
32 (02) PERSONAL SERVICES MATCHING	<u>19,639</u>
33 TOTAL AMOUNT APPROPRIATED	<u><u>\$79,032</u></u>

34
 35 SECTION 22. SPECIAL LANGUAGE. REGULAR SALARIES - CONTINGENT POSITIONS.
 36 There is hereby established for the ~~Department~~ Division of Corrections

1 Contingent Positions for the ~~2020-2021~~2021-2022 fiscal year, the following
 2 maximum number of regular employees.

3

4 CONTINGENT POSITIONS - MEDICAL SERVICES

5				MAXIMUM ANNUAL	
6				SALARY RATE	
7	ITEM CLASS		NO. OF	FISCAL YEAR	
8	<u>NO.</u>	<u>CODE</u>	<u>TITLE</u>	<u>EMPLOYEES</u>	<u>2020-2021</u> <u>2021-2022</u>
9	(01)		CHIEF OF MEDICAL SERVICES	1	\$225,000
10	(02)		CHIEF OF DENTAL SERVICES	1	175,000
11	(03)		PHYSICIANS SPECIALIST	15	170,000
12	(04)		CHIEF OF PHARMACY	1	125,000
13	(05)		CHIEF OF NURSING SERVICES	1	90,000
14	(06)		UNIT/FACILITY MEDICAL MGR	15	90,000
15	(07)		RNP/PA	13	85,000
16	(08)		DIR OF MEDICAL RECORDS	1	75,000
17	PATIENT CARE -				
18	(09)	L011N	DENTIST	15	GRADE MP06
19	(10)	L016N	REGISTERED PHARMACIST	3	GRADE MP05
20	(11)	L019C	REGISTERED NURSE COORD	13	GRADE MP02
21	(12)	L027C	REGISTERED NURSE SUPV	45	GRADE MP02
22	(13)	L064C	RADIOLOGY TECHNICIAN	8	GRADE GS07
23	(14)	L069C	LICENSED PRACTICAL NURSE	180	GRADE GS06
24	(15)	B111C	LABORATORY TECHNICIAN	3	GRADE GS04
25	PATIENT CARE - CLASSIFIED POSITIONS				
26	(16)	L071C	DENTAL HYGIENIST	8	GRADE GS05
27	(17)	C056C	ADMINISTRATIVE SPEC III	11	GRADE GS04
28	(18)	C053C	MEDICAL RECORDS TECH	26	GRADE GS03
29	(19)	C073C	ADMINISTRATIVE SPEC II	9	GRADE GS03
30	(20)	L081C	DENTAL ASSISTANT	14	GRADE GS04
31	CLASSIFIED - NON-PATIENT CARE				
32	(21)		CHIEF PSYCHIATRIC SERV.	1	\$400,000
33	(22)		VP OPERATIONS	1	\$200,000
34	(23)		REGIONAL MANAGER	3	\$120,000
35	(24)		PSYCHIATRIC SPECIALIST	6	GRADE MP08
36	(25)	A014C	FISCAL DIVISION MANAGER	1	GRADE GS12

1	(26) D030C	INFO SYSTEMS COORDINATOR	1	GRADE IT07
2	(27) G178C	POLICY DEVELOP. COORDINATOR	1	GRADE GS06
3	(28) A089C	ACCOUNTANT I	1	GRADE GS07
4	(29) V014C	BUYER	2	GRADE GS05
5	(30) D079C	COMPUTER SUPPORT TECH	1	GRADE IT02
6	(31)	INSTITUTIONAL HR COORDINATOR	1	GRADE C115 GS05
7	(32)	HR SPECIALIST	1	GRADE C113 GS04
8	(33) A098C	FISCAL SUPPORT SPECIALIST	1	GRADE GS04
9	(34)	NURSING ASSISTANT	53	GRADE C110
10	(35) A101C	ACCOUNTING TECH	4	GRADE GS04
11	(36) V029C	PURCHASING ASSISTANT	<u>1</u>	GRADE GS01
12	GRAND TOTAL	CONTINGENT EMPLOYEES	462	

13 If the agency requests continuation of a "Growth Pool" position(s) as
 14 established herein during the next fiscal year, the position(s) must be
 15 requested as a new position(s) in the agency's budget request.

16 The provisions of this section shall be in effect only from July 1, ~~2020~~
 17 2021 through June 30, ~~2021~~ 2022.

18

19 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

21 MEDICAL/MENTAL HEALTH SERVICES - CONTINGENCY POSITIONS. If it has been
 22 determined by the Board of Corrections that the Department cannot continue a
 23 medical contract with a private provider and the Board deems it necessary to
 24 utilize Department staff to provide the required services, the Department is
 25 allowed, upon notification of the Chief Fiscal Officer of the State and after
 26 seeking prior review by the Arkansas Legislative Council or Joint Budget
 27 Committee, to utilize the contingent positions for medical services contained
 28 in this Act and make the appropriate transfers from the Professional Fees and
 29 Services line item contained in the Inmate Care & Custody appropriation of
 30 this Act to Regular Salaries, Personal Services Matching and various
 31 Maintenance and General Operations classifications. Further, the Department
 32 may utilize the service(s) of a state-based or national-based Professional
 33 Recruitment Service, or network, as may be necessary to recruit, fill, or
 34 maintain the occupancy of the positions stated herein.

35 The provisions of this section shall be in effect only from July 1, ~~2020~~
 36 2021 through June 30, ~~2021~~ 2022.

1
2 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
4 OF APPROPRIATION WITHIN CAPITAL IMPROVEMENT PROJECTS. The Department of
5 Corrections is hereby authorized to transfer appropriation between and/or
6 among the various capital improvements/construction projects authorized by
7 the General Assembly. Such transfers may be made only after approval by the
8 Governor and after prior approval by the Arkansas Legislative Council or
9 Joint Budget Committee. Such authorization shall in no way mean that the
10 total amount of funds or appropriations for capital improvement/construction
11 projects be greater than that provided by the General Assembly for the
12 Department of Corrections.

13 Determining the maximum number of employees and the maximum amount of
14 appropriation and general revenue funding for a state agency each fiscal year
15 is the prerogative of the General Assembly. This is usually accomplished by
16 delineating such maximums in the appropriation act(s) for a state agency and
17 the general revenue allocations authorized for each fund and fund account by
18 amendment to the Revenue Stabilization law. Further, the General Assembly
19 has determined that the Department of Corrections - Division of Correction
20 may operate more efficiently if some flexibility is provided to the
21 Department of Corrections authorizing broad powers under this Section.
22 Therefore, it is both necessary and appropriate that the General Assembly
23 maintain oversight by requiring prior approval of the Legislative Council or
24 Joint Budget Committee as provided by this section. The requirement of
25 approval by the Legislative Council or Joint Budget Committee is not a
26 severable part of this section. If the requirement of approval by the
27 Legislative Council or Joint Budget Committee is ruled unconstitutional by a
28 court of competent jurisdiction, this entire section is void.

29 The provisions of this section shall be in effect only from July 1, ~~2020~~
30 2021 through June 30, ~~2021~~ 2022.

31
32 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
34 REALLOCATION OF RESOURCES. Upon determination by the Board of Corrections
35 that a reallocation of resources within the ~~Department~~ Division of Community
36 Correction and ~~Department~~ Division of Correction is necessary for the

1 efficient and effective operation of the ~~department~~ divisions, the Board,
2 with approval of the Governor and approval by the Arkansas Legislative
3 Council or Joint Budget Committee, shall have the authority to instruct the
4 ~~department~~ division directors, to request from the Chief Fiscal Officer of
5 the State, a transfer of positions, programs, funds, appropriations, and
6 line-item appropriations within or between existing and newly created
7 divisions, offices, sections, or units of the ~~departments~~ divisions. If it
8 is determined that the requested transfer should be made, the Chief Fiscal
9 Officer of the State shall then initiate the necessary transfer documents to
10 reflect the transfers upon the fiscal records of the State Treasurer, the
11 State Auditor, the Chief Fiscal Officer of the State, and the ~~Department~~
12 Divisions of Correction and Community Correction. Provided, however, that
13 the Board shall be limited to submitting no more than two requests,
14 encompassing a single purpose listed in this section, during any fiscal year
15 per ~~department~~ division. Transfer authority shall further be limited to no
16 more than five percent (5%) of the total General Revenue and Special Revenue
17 appropriation, funding, and positions specific to each agency. However,
18 there shall be no fund transfers to or from the County Jail Reimbursement
19 Fund. A Reallocation of Resources Transfer shall be limited to the following
20 specific purposes:

- 21 a) Costs to open and operate temporary beds;
- 22 b) Payment of Debt Service;
- 23 c) Payment of Overtime Expenses;
- 24 d) Unanticipated increases for medical or private prison contracts;
- 25 e) Construction/renovation/equipping of new beds;
- 26 f) Deficits in Farm or Industry Program;
- 27 g) Losses not covered by insurance proceeds;
- 28 h) Costs of personnel for critical services necessary to carry out the
29 mission of the agency.

30 Determining the maximum number of employees and the maximum amount of
31 appropriation and general revenue funding for a state agency each fiscal year
32 is the prerogative of the General Assembly. This is usually accomplished by
33 delineating such maximums in the appropriation act(s) for a state agency and
34 the general revenue allocations authorized for each fund and fund account by
35 amendment to the Revenue Stabilization law. Further, the General Assembly
36 has determined that the Division of Correction and the Division of Community

1 Correction may operate more efficiently if some flexibility is provided to
 2 the Board of Corrections authorizing broad powers under the Reallocation of
 3 Resources provisions herein. Therefore, it is both necessary and appropriate
 4 that the General Assembly maintain oversight by requiring prior approval of
 5 the Legislative Council or Joint Budget Committee as provided by this
 6 section. The requirement of approval by the Legislative Council or Joint
 7 Budget Committee is not a severable part of this section. If the requirement
 8 of approval by the Legislative Council or Joint Budget Committee is ruled
 9 unconstitutional by a court jurisdiction, this entire section is void.

10 The provisions of this section shall be in effect only from July 1, ~~2020~~
 11 2021 through June 30, ~~2021~~ 2022.

12
 13 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HOLIDAY
 15 COMPENSATION. The Department of Corrections is authorized to pay employees
 16 for hours of unused holidays in the employee's holiday account ~~following the~~
 17 ~~end of the calendar year~~. Payments of unused Holiday hours must be processed
 18 on or before June 1st in each fiscal year. Employees terminating employment
 19 from the Department of Corrections will be eligible for all holiday pay
 20 accrued. This request is contingent on approval by the Chief Fiscal Officer
 21 of the State after the ~~Director~~ Secretary of the Department of Corrections
 22 has verified that sufficient revenues are available to make such payments to
 23 employees who have served in the following classifications, with the
 24 exception that those employees wishing to accrue banked hours be allowed the
 25 option to bank unused holiday hours in the employee's holiday account, not to
 26 exceed one-hundred fifty (150) hours:

27
 28 Class

29	<u>Code</u>	<u>Title</u>	<u>Grade</u>
30	T033C	ADC/DCC MAJOR	GRADE GS09
31	T048C	ADC/DCC CAPTAIN	GRADE GS08
32	T054C	ADC/DCC LIEUTENANT	GRADE GS07
33	T065C	ADC/DCC CORRECTIONAL SERGEANT	GRADE GS06
34	T059C	ADC/DCC FOOD PREPARATION MANAGER	GRADE GS05 <u>GS07</u>
35	T075C	ADC/DCC CORPORAL	GRADE GS05
36	T083C	ADC/DCC CORRECTIONAL OFFICER I	GRADE GS04

1 T070C ADC/DCC FOOD PREPARATION SUPERVISOR GRADE ~~GS04~~GS06

2 The provisions of this section shall be in effect only from July 1, ~~2020~~
3 2021 through June 30, ~~2021~~ 2022.

4
5 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EMPLOYEE
7 COMPENSATION REPORT. The Department of Finance and Administration Office of
8 Budget shall prepare and submit to the Arkansas Legislative Council or Joint
9 Budget Committee a report reflecting the amount of appropriation and funding
10 necessary for the Department of Corrections to sufficiently budget for the
11 expenditure of payments to employees for all Holiday Liability, ~~Straight~~GAP
12 Time Liability, Overtime, and Hazardous Duty Compensation incurred, including
13 the current balances of said liabilities. This report shall be included in
14 the summary budget information manual submitted during the biennial budget
15 process.

16 The provisions of this section shall be in effect only from July 1, ~~2020~~
17 2021 through June 30, ~~2021~~ 2022.

18
19 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ADC SEX
21 OFFENDER ASSESSMENT. The Arkansas Department of Corrections - Division of
22 Correction is authorized to enter into a cooperative agreement with a
23 qualified state treatment and assessment agency to conduct assessments of
24 juvenile sex or child offenders as required by provisions of ACA 12-12-901
25 et. seq. and pay for services upon receipt of invoice.

26 The provisions of this section shall be in effect only from July 1, ~~2020~~
27 2021 through June 30, ~~2021~~ 2022.

28
29 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INMATE
31 COST REPORTING – STATE FACILITIES.

32 (a) Within 90 days of the close of each state fiscal year, the Arkansas
33 Department of Corrections - Division of Correction shall submit to the
34 Arkansas Legislative Council a report of all direct and indirect costs
35 incurred by the State of Arkansas in housing and caring for inmates
36 incarcerated in the State's facilities. Such costs shall be calculated and

1 reported in total for the ~~Department~~Division and in total by each facility.
2 The report shall also reflect overall cost per inmate per day, cost per
3 inmate per day for each facility, overall cost per bed per day, and cost per
4 bed per day for each facility.

5 (b) In compiling costs and reporting to the Arkansas Legislative Council in
6 accordance with subsection (a) of this section of this Act, the Department of
7 Corrections - Division of Correction shall:

8 (1) Record all expenditures in a manner that provides for the association
9 of costs with each facility. Costs not directly attributable to a particular
10 facility (overhead, administration, treatment, etc.) shall be allocated to
11 each facility on the basis of inmate population.

12 (2) Maintain documentation to support all elements of costs and cost
13 reimbursement both in total and by facility;

14 (3) Exclude capital outlay disbursements. However, depreciation expense
15 for all ADC fixed assets shall be included. Depreciation expense not
16 directly associated with the fixed assets of a particular facility shall be
17 allocated to each facility on the basis of inmate population.

18 (4) Include any interest expense incurred by ADC or another state
19 governmental entity as a result of prison construction;

20 (5) Exclude all payments to local governments for care of inmates housed in
21 local government facilities;

22 (6) Exclude all payments to local governments for Act 309 prisoners;

23 (7) Include the state matching requirements associated with federal grant
24 expenditures. Documentation shall be maintained sufficient to identify such
25 costs by grant.

26 (8) Deduct reimbursements for costs incurred. The amount of the
27 reimbursement deducted shall be equal to or less than the cost with which the
28 reimbursement is associated.

29 (9) Include all ancillary costs. These costs shall include, but are not
30 limited to:

31 (A) ADC expenses incurred through fund transfers;

32 (B) Retirement costs;

33 (C) Audit costs;

34 (D) ADC cost for shared employees paid by another state governmental
35 entity;

36 (E) Inmate educational and rehabilitation costs;

1 (F) Inmate related expenses incurred by the Attorney General; however;
2 expenses shall not include costs of defending Habeas Corpus cases.

3 (c) In determining costs per inmate per day for reporting to the Arkansas
4 Legislative Council in accordance with subsection (a) of this section, ADC
5 shall:

6 (1) Accumulate the number of inmates housed at each ADC facility each day
7 throughout the state fiscal year for which costs are being reported. This
8 accumulation shall result in total inmate days and shall be divided into
9 total direct and indirect costs compiled in accordance with subsections (a)
10 and (b) of this section.

11 (2) Exclude those ADC inmates housed in local governmental facilities and
12 Act 309 prisoners from the number of inmates housed at ADC facilities.

13 (3) Maintain documentation supporting the number of inmates housed at ADC
14 facilities.

15 The provisions of this section shall be in effect only from July 1, ~~2020~~
16 2021 through June 30, ~~2021~~ 2022.

17

18 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
20 JAIL REIMBURSEMENT FUND YEAR-END FUND BALANCE CARRY FORWARD. Notwithstanding
21 any law pertaining to the transfer of year-end fund balances or any law to
22 the contrary, any funds which remain in the County Jail Reimbursement Fund at
23 the end of a fiscal year shall remain in the County Jail Reimbursement Fund
24 and made available to fund appropriations authorized by law payable from the
25 County Jail Reimbursement Fund for the following fiscal year.

26 Any carry forward of unexpended balance of funding as authorized herein, may
27 be carried forward under the following conditions:

28 (1) Prior to June 30, ~~2020~~ 2021 the Agency shall by written statement set
29 forth its reason(s) for the need to carry forward said funding to the
30 Department of Finance and Administration Office of Budget;

31 (2) The Department of Finance and Administration Office of Budget shall
32 report to the Arkansas Legislative Council all amounts carried forward from
33 the first fiscal year to the second fiscal year by the September Arkansas
34 Legislative Council or Joint Budget Committee meeting which report shall
35 include the name of the Agency, Board, Commission or Institution and the
36 amount of the funding carried forward from the first fiscal year to the

1 second fiscal year, the program name or line item, the funding source of that
2 appropriation and a copy of the written request set forth in (1) above;

3 (3) Each Agency, Board, Commission or Institution shall provide a written
4 report to the Arkansas Legislative Council or Joint Budget Committee
5 containing all information set forth in item (2) above, along with a written
6 statement as to the current status of the project, contract, purpose etc. for
7 which the carry forward was originally requested no later than thirty (30)
8 days prior to the time the Agency, Board, Commission or Institution presents
9 its budget request to the Arkansas Legislative Council/Joint Budget
10 Committee; and

11 (4) Thereupon, the Department of Finance and Administration shall include
12 all information obtained in item (3) above in the budget manuals and/or a
13 statement of non-compliance by the Agency, Board, Commission or Institution.

14 The provisions of this section shall be in effect only from July 1, ~~2020~~
15 2021 through June 30, ~~2021~~ 2022.

16
17 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REFUND TO
19 EXPENDITURE. The proceeds from the sale of feeder cattle by the Department
20 of Corrections - Division of Correction shall be deposited into the State
21 Treasury as a refund to expenditure to the credit of the appropriation
22 available to the Department of Corrections - Division of Correction for the
23 "Purchase Cattle/Meat" line item.

24 The provisions of this section shall be in effect only from July 1, ~~2020~~
25 2021 through June 30, ~~2021~~ 2022.

26
27 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. USE OF
29 MAINTENANCE AND OPERATION APPROPRIATION AND SALVAGED MATERIALS CONSTRUCTION.
30 The Department of Corrections - Division of Correction is hereby authorized
31 to utilize Maintenance and General Operation Appropriation in conjunction
32 with surplus and/or salvageable materials for the purpose of implementing
33 construction projects to benefit the Department and its various programs.
34 Before such projects may be undertaken, a Method of Finance must be submitted
35 for prior review and approval by the Arkansas Legislative Council or Joint
36 Budget Committee, and review and approval by the Department of Finance and

1 Administration and the Building Authority Division of the Department of
2 Finance and Administration.
3 Determining the maximum number of employees and the maximum amount of
4 appropriation and general revenue funding for a state agency each fiscal year
5 is the prerogative of the General Assembly. This is usually accomplished by
6 delineating such maximums in the appropriation act(s) for a state agency and
7 the general revenue allocations authorized for each fund and fund account by
8 amendment to the Revenue Stabilization law. Further, the General Assembly
9 has determined that the Department of Corrections - Division of Correction
10 may operate more efficiently if some flexibility is provided to the
11 Department of Corrections authorizing broad powers under this Section.
12 Therefore, it is both necessary and appropriate that the General Assembly
13 maintain oversight by requiring prior approval of the Legislative Council or
14 Joint Budget Committee as provided by this section. The requirement of
15 approval by the Legislative Council or Joint Budget Committee is not a
16 severable part of this section. If the requirement of approval by the
17 Legislative Council or Joint Budget Committee is ruled unconstitutional by a
18 court of competent jurisdiction, this entire section is void.

19 The provisions of this section shall be in effect only from July 1, ~~2020~~
20 2021 through June 30, ~~2021~~ 2022.

21

22 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. UTILITY
24 RATE INCREASE TRANSFER. In the event of a ten percent (10%) increase in
25 utility rates and fuel rates, the Department of Corrections is authorized to
26 transfer any line item appropriation in this Act to the Maintenance and
27 Operation line item for support of the increase after receiving approval of
28 the Chief Fiscal Officer of the State. Prior to the utilization of the
29 transfer authority, a report shall be made to the Arkansas Legislative
30 Council or Joint Budget Committee including justification for the transfer
31 and the amount of the transfer.

32 Determining the maximum number of employees and the maximum amount of
33 appropriation and general revenue funding for a state agency each fiscal year
34 is the prerogative of the General Assembly. This is usually accomplished by
35 delineating such maximums in the appropriation act(s) for a state agency and
36 the general revenue allocations authorized for each fund and fund account by

1 amendment to the Revenue Stabilization law. Further, the General Assembly
2 has determined that the Department of Corrections may operate more
3 efficiently if some flexibility is provided to the Department of Corrections
4 authorizing broad powers under this Section. Therefore, it is both necessary
5 and appropriate that the General Assembly maintain oversight by requiring
6 prior approval of the Legislative Council or Joint Budget Committee as
7 provided by this section. The requirement of approval by the Legislative
8 Council or Joint Budget Committee is not a severable part of this section.
9 If the requirement of approval by the Legislative Council or Joint Budget
10 Committee is ruled unconstitutional by a court of competent jurisdiction,
11 this entire section is void.

12 The provisions of this section shall be in effect only from July 1, ~~2020~~
13 2021 through June 30, ~~2021~~ 2022.

14

15 SECTION 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MENTAL
17 HEALTH SERVICES. In the event the Department determines to enter into a
18 professional contract for mental health services, the Department may, upon
19 approval of the Chief Fiscal Officer of the State and after prior review and
20 approval by the Arkansas Legislative Council or Joint Budget Committee, make
21 appropriate transfers from regular salaries, personal services matching and
22 various maintenance and operation classifications to the professional fees
23 and services classification for payment of the contractual amount.
24 Determining the maximum number of employees and the maximum amount of
25 appropriation and general revenue funding for a state agency each fiscal year
26 is the prerogative of the General Assembly. This is usually accomplished by
27 delineating such maximums in the appropriation act(s) for a state agency and
28 the general revenue allocations authorized for each fund and fund account by
29 amendment to the Revenue Stabilization law. Further, the General Assembly
30 has determined that the Department of Corrections may operate more
31 efficiently if some flexibility is provided to the Department of Corrections
32 authorizing broad powers under this Section. Therefore, it is both necessary
33 and appropriate that the General Assembly maintain oversight by requiring
34 prior approval of the Legislative Council or Joint Budget Committee as
35 provided by this section. The requirement of approval by the Legislative
36 Council or Joint Budget Committee is not a severable part of this section.

1 If the requirement of approval by the Legislative Council or Joint Budget
2 Committee is ruled unconstitutional by a court of competent jurisdiction,
3 this entire section is void.

4 The provisions of this section shall be in effect only from July 1, ~~2020~~
5 2021 through June 30, ~~2021~~ 2022.

6
7 SECTION 35. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
9 REVENUE/CASH FUNDS TRANSFER. The Department of Corrections is authorized to
10 transfer funds from various Special Revenue and Cash Funds into the Inmate
11 Care and Custody Fund Account in order to adjust to the budget needs upon
12 prior approval by the Arkansas Legislative Council or Joint Budget Committee
13 and approval of the Board of Corrections and the Chief Fiscal Officer of the
14 State.

15 Determining the maximum number of employees and the maximum amount of
16 appropriation and general revenue funding for a state agency each fiscal year
17 is the prerogative of the General Assembly. This is usually accomplished by
18 delineating such maximums in the appropriation act(s) for a state agency and
19 the general revenue allocations authorized for each fund and fund account by
20 amendment to the Revenue Stabilization law. Further, the General Assembly
21 has determined that the Department of Corrections may operate more
22 efficiently if some flexibility is provided to the Department of Corrections
23 authorizing broad powers under this Section. Therefore, it is both necessary
24 and appropriate that the General Assembly maintain oversight by requiring
25 prior approval of the Legislative Council or Joint Budget Committee as
26 provided by this section. The requirement of approval by the Legislative
27 Council or Joint Budget Committee is not a severable part of this section.
28 If the requirement of approval by the Legislative Council or Joint Budget
29 Committee is ruled unconstitutional by a court of competent jurisdiction,
30 this entire section is void.

31 The provisions of this section shall be in effect only from July 1, ~~2020~~
32 2021 through June 30, ~~2021~~ 2022.

33
34 SECTION 36. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NEW
36 FACILITIES. If it is found that contracting for the operation of new

1 facilities is economically beneficial to the State of Arkansas, the
2 Department of Corrections may, after receiving approval of the Chief Fiscal
3 Officer, and seeking prior review and approval by the Arkansas Legislative
4 Council or Joint Budget Committee, transfer from any line item appropriation
5 contained in the Inmate Care & Custody appropriation of this Act *into the*
6 *Professional Fees and Services line item contained in the Inmate Care &*
7 *Custody appropriation of this Act to operate new facilities.*

8 Determining the maximum number of employees and the maximum amount of
9 appropriation and general revenue funding for a state agency each fiscal year
10 is the prerogative of the General Assembly. This is usually accomplished by
11 delineating such maximums in the appropriation act(s) for a state agency and
12 the general revenue allocations authorized for each fund and fund account by
13 amendment to the Revenue Stabilization law. Further, the General Assembly
14 has determined that the Department of Corrections may operate more
15 efficiently if some flexibility is provided to the Department of Corrections
16 authorizing broad powers under this Section. Therefore, it is both necessary
17 and appropriate that the General Assembly maintain oversight by requiring
18 prior approval of the Legislative Council or Joint Budget Committee as
19 provided by this section. The requirement of approval by the Legislative
20 Council or Joint Budget Committee is not a severable part of this section.
21 If the requirement of approval by the Legislative Council or Joint Budget
22 Committee is ruled unconstitutional by a court of competent jurisdiction,
23 this entire section is void.

24 The provisions of this section shall be in effect only from July 1, ~~2020~~
25 2021 through June 30, ~~2021~~ 2022.

26
27 SECTION 37. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

29 APPROPRIATION TRANSFER FOR CONSTRUCTING AND EQUIPPING. The Department of
30 Corrections is hereby authorized to transfer appropriations between any line
31 items authorized herein but only for the purpose of financing construction or
32 equipment for a facility of the department. Any transfers authorized by this
33 section shall require the approval of the Chief Fiscal Officer of the State
34 after prior review and approval by the Legislative Council or Joint Budget
35 Committee.

36 Determining the maximum number of employees and the maximum amount of

1 appropriation and general revenue funding for a state agency each fiscal year
2 is the prerogative of the General Assembly. This is usually accomplished by
3 delineating such maximums in the appropriation act(s) for a state agency and
4 the general revenue allocations authorized for each fund and fund account by
5 amendment to the Revenue Stabilization law. Further, the General Assembly
6 has determined that the Department of Corrections may operate more
7 efficiently if some flexibility is provided to the Department of Corrections
8 authorizing broad powers under this Section. Therefore, it is both necessary
9 and appropriate that the General Assembly maintain oversight by requiring
10 prior approval of the Legislative Council or Joint Budget Committee as
11 provided by this section. The requirement of approval by the Legislative
12 Council or Joint Budget Committee is not a severable part of this section.
13 If the requirement of approval by the Legislative Council or Joint Budget
14 Committee is ruled unconstitutional by a court of competent jurisdiction,
15 this entire section is void.

16 The provisions of this section shall be in effect only from July 1, ~~2020~~
17 2021 through June 30, ~~2021~~ 2022.

18

19 SECTION 38. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
21 JAIL INVOICE SUMMARY. The Department of Corrections - Division of Correction
22 and ~~Department~~Division of Community Correction, shall at a minimum and on a
23 fiscal year basis, prepare and post on the applicable agency web site, a
24 monthly summary of county jail reimbursement invoices prepared and forwarded
25 to each county sheriff for verification by the ~~Departments~~Divisions and for
26 payment from the County Jail Reimbursement Fund. In addition, the report
27 shall include a summary of invoices returned by each county for payment for
28 previous months within the fiscal year, the amounts paid, and any balances
29 owed. Each fiscal year-end report shall be maintained on the web sites for a
30 period of no less than three (3) years.

31 The provisions of this section shall be in effect only from July 1, ~~2020~~
32 2021 through June 30, ~~2021~~ 2022.

33

34 SECTION 39. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
36 OF APPROPRIATION TO THE COUNTY JAIL REIMBURSEMENT FUND. If any savings of

1 general revenue appropriation and funds accrue during the ~~2020-2021~~ 2021-2022
2 fiscal year in the operations of the Department of Corrections - Division of
3 Correction & Community Correction, the ~~Director~~Secretary of the Department of
4 Corrections may request a transfer of appropriation from any line item
5 appropriation ~~in the Inmate Care and Custody Fund Account~~ to the County Jail
6 Reimbursement Fund in order to meet obligations to counties for housing state
7 inmates. Such transfer request shall be made upon the approval of the Chief
8 Fiscal Officer of the State and prior review and approval by the Arkansas
9 Legislative Council or Joint Budget Committee.

10 The provisions of this section shall be in effect only from July 1, ~~2020~~
11 2021 through June 30, ~~2021~~ 2022.

12
13 SECTION 40. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LOCAL
15 GOVERNMENT INMATE COST REPORT. Each calendar year, the Association of
16 Arkansas Counties shall compile and submit a report to the Arkansas
17 Legislative Council, of all costs incurred, excluding construction costs, by
18 local government units housing inmates sentenced to the Department of
19 Corrections - Divisions of Correction and Department of Community Correction.
20 The cost report shall be a representative sample of all counties housing and
21 caring for state inmates. The report shall be submitted no later than July 1
22 of the calendar year immediately following the reporting year.

23 The Association of Arkansas Counties in coordination with Legislative
24 Audit shall determine which counties will be included in the sample and shall
25 include a sufficient number of counties from each classification based upon
26 population and each congressional district to ensure a fair representation of
27 costs incurred. Guidelines for preparing this cost report shall be developed
28 by the Division of Legislative Audit in coordination with the Association of
29 Arkansas Counties. The Division of Legislative Audit shall test the accuracy
30 of the information submitted during the routine audit of the applicable
31 county.

32 The provisions of this section shall be in effect only from July 1, ~~2020~~
33 2021 through June 30, ~~2021~~ 2022.

34
35 SECTION 41. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ESSENTIAL

1 SERVICES STIPEND. The Arkansas Department of Corrections - Division of
2 Correction (ADC) may award additional compensation to those exempt employees
3 who are members of the emergency response unit. These employees are eligible
4 to receive up to 3% per hour additional compensation for the actual number of
5 hours that an employee spends on an emergency response action.

6 The provisions of this section shall be in effect only from July 1, ~~2020~~
7 2021 through June 30, ~~2021~~ 2022.

8
9 SECTION 42. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MARKETING
11 AND REDISTRIBUTION PROCEEDS FROM SALE OF STATE PROPERTY. The proceeds from
12 the sale of state property through the Marketing and Redistribution Section
13 of the Department of Finance and Administration, may be deposited into the
14 Cash in State Treasury fund in an amount not to exceed \$100,000 there to be
15 used for operating expenses for the Paws in Prison program.

16 The provisions of this section shall be in effect only from July 1, ~~2020~~
17 2021 through June 30, ~~2021~~ 2022.

18
19 SECTION 43. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

21 PROMOTIONAL ITEMS. The Department of Corrections - Division of Correction is
22 hereby authorized to purchase from Maintenance & General Operations
23 Classifications in the Industry Program (SDD0100) appropriation provided by
24 this act, up to an amount not to exceed \$5,000 each fiscal year for
25 promotional items produced by its prison industry division, to meet the
26 Agency's employee recruitment needs; subject to the authorization of the
27 Director of the Agency, and with the approval of the Chief Fiscal Officer of
28 the State. The Director of the Agency shall report quarterly to the Board of
29 Corrections the amount and type of promotional items purchased under this
30 Section.

31 The provisions of this section shall be in effect only from July 1,
32 ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

33
34 SECTION 44. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. JUVENILE
36 TRANSPORTATION. Funds appropriated for Transportation of Juveniles in the

1 Transportation of Juvenile Offenders Section of this Act shall be used to
2 provide grants/reimbursements to counties and cities for transportation of
3 juvenile offenders to appropriate care or custody facilities or any other
4 licensed juvenile facility approved by the court or as may be provided by
5 law, in those counties which have juvenile detention facilities. Such
6 grants/reimbursements for juvenile transportation costs shall be made in
7 accordance with procedures and criteria developed and administered by the
8 Office of Criminal Detention Facilities Review Coordinator.

9 The provisions of this section shall be in effect only from July 1,
10 ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

11
12 SECTION 45. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHARED
14 SERVICES.

15 (a)(1)(A) The Chief Fiscal Officer of the State may create paying
16 accounts on his or her books and on the books of the Treasurer of State and
17 the Auditor of State for the payment of personal services and operating
18 expenses by the Department of Corrections ~~—Division of Correction.~~

19 (B) Upon prior approval of the Arkansas Legislative Council, or
20 if meeting in Legislative Session the Joint Budget Committee, the Chief
21 Fiscal Officer of the State shall direct the transfer of funds and
22 appropriations to the Shared Services Paying Account appropriation section of
23 this act and the transfer of positions to the Regular Salaries – Shared
24 Services appropriation section of this act on the books of the Treasurer of
25 State, the Auditor of State, and the Chief Fiscal Officer of the State.

26 (2) The transfer authority provided in subdivision (a)(1) of
27 this section for efficiencies and to eliminate duplication of services are
28 limited only to those services that are provided for multiple divisions of a
29 department, including without limitation to administration, human resources,
30 procurement, communications, fleet operations, and information services.

31 (3) The transfer authority provided to the department in
32 subdivision (a)(1) of this section may be used to make transfers only within
33 the department's appropriation act or between other appropriation acts
34 authorized for the department.

35 (b)(1) Each department utilizing the Shared Services Paying Account
36 section or Regular Salaries – Shared Services section of this act shall

1 submit a report to be included in the Budget Manuals for hearings, conducted
2 by the General Assembly, listing all shared services transfers of positions,
3 funds, and appropriation under this section, which shall be submitted as
4 instructed by the Department of Finance and Administration - Office of Budget
5 for uniformity.

6 (2) A report submitted under subdivision (b)(1) of this section
7 shall include the following:

8 (A) The position number, authorized position title, class
9 code, grade, business area, and name of the division, section, or unit for
10 the position being transferred to the Regular Salaries - Shared Services
11 section of this act; and

12 (B) The fund center, appropriation, appropriation amount,
13 commitment item or items, business area, and name of the division, section,
14 or unit for the fund or appropriation being transferred to the Shared
15 Services Paying Account.

16 (c)(1) It is the intent of the Ninety-Second General Assembly that the
17 authority under this section to transfer positions is intended for use for
18 the time period prior to Fiscal Year ~~2022~~ 2023 to allow cabinet-level
19 departments to establish a centralized Regular Salaries - Shared Services
20 section, with the recommendation that the position transfer authority granted
21 under this section be discontinued after that time.

22 (2) The Bureau of Legislative Research shall bring the
23 recommendation in subdivision (c)(1) of this section to the attention of the
24 chairs conducting the ~~2021~~ 2023 Regular Fiscal Session pre-session budget
25 hearings, the chairs of the Special Language Subcommittee, and the members of
26 the Special Language Subcommittee during pre-session budget hearings.

27 (d) Determining the maximum number of employees and the maximum amount
28 of appropriation and general revenue funding for a cabinet-level department
29 each fiscal year is the prerogative of the General Assembly and is usually
30 accomplished by delineating the maximums in the appropriation act or acts and
31 establishing authorized positions and the general revenue allocations
32 authorized for each fund and fund account by amendment to the Revenue
33 Stabilization Law. Further, the General Assembly has determined that the
34 cabinet-level departments created under Acts 2019, No. 910, may operate more
35 efficiently if some flexibility is provided as authorized under this section.
36 Therefore, it is both necessary and appropriate that the General Assembly

1 maintain oversight by requiring prior approval of the Legislative Council or,
2 if the General Assembly is in session, the Joint Budget Committee, as
3 provided by this section. The requirement of approval by the Legislative
4 Council or Joint Budget Committee is not a severable part of this section.
5 If the requirement of approval by the Legislative Council or Joint Budget
6 Committee is ruled unconstitutional by a court of competent jurisdiction,
7 this entire section is void.

8 (e) The provisions of this section shall be in effect from the date of
9 passage through June 30, ~~2021~~ 2022.

10
11 *SECTION 46. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*
12 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY*
13 *FORWARD - ENERGY, MAINTENANCE & OPERATIONAL SAVINGS. Any unexpended balance*
14 *of funds authorized in this Act for guaranteed energy, maintenance, and*
15 *operational savings generated through energy usage, solar power, waste*
16 *management, water conservation, and similar efficiency efforts on June 30*
17 *2022 shall be carried forward and made available for the same purpose for the*
18 *fiscal year ending June 30, 2023. Any realized savings and expenditures*
19 *shall be reported to the Arkansas Legislative Council or Joint Budget*
20 *Committee no later than thirty (30) days prior to the time the Agency*
21 *presents its budget request to the Legislative Council/Joint Budget*
22 *Committee. This authority authorizes the reinvestment of guaranteed savings*
23 *for future and existing energy conservation projects.*

24 *The provisions of this section shall be in effect only from July 1,*
25 *2021 through June 30, 2022.*

26
27 *SECTION 47. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE*
28 *ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.*
29 *TRANSFER OF FUNDS. The Arkansas Department of Corrections shall provide*
30 *funding each year in an amount not to exceed \$100,000 for a Deputy*
31 *Prosecuting Attorney who will be assigned to handle the prosecution of*
32 *offenses occurring at the Arkansas Department of Corrections. Upon request by*
33 *the Auditor of the State, the Chief Fiscal Officer of the State shall*
34 *transfer an amount not to exceed \$100,000 from an account designated by the*
35 *Secretary of the Department of Corrections to the State Central Services Fund*
36 *as a direct revenue to fund a Deputy Prosecuting Attorney who will be*

1 assigned to handle the prosecution of offenses occurring at the Arkansas
2 Department of Corrections.

3 The provisions of this section shall be in effect only from July 1,
4 2021 through June 30, 2022.

5
6 SECTION 48. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
7 authorized by this act shall be limited to the appropriation for such agency
8 and funds made available by law for the support of such appropriations; and
9 the restrictions of the State Procurement Law, the General Accounting and
10 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
11 Procedures and Restrictions Act, or their successors, and other fiscal
12 control laws of this State, where applicable, and regulations promulgated by
13 the Department of Finance and Administration, as authorized by law, shall be
14 strictly complied with in disbursement of said funds.

15
16 SECTION 49. LEGISLATIVE INTENT. It is the intent of the General
17 Assembly that any funds disbursed under the authority of the appropriations
18 contained in this act shall be in compliance with the stated reasons for
19 which this act was adopted, as evidenced by the Agency Requests, Executive
20 Recommendations and Legislative Recommendations contained in the budget
21 manuals prepared by the Department of Finance and Administration, letters, or
22 summarized oral testimony in the official minutes of the Arkansas Legislative
23 Council or Joint Budget Committee which relate to its passage and adoption.

24
25 SECTION 50. EMERGENCY CLAUSE. It is found and determined by the
26 General Assembly, that the Constitution of the State of Arkansas prohibits
27 the appropriation of funds for more than a one (1) year period; that the
28 effectiveness of this Act on July 1, 2021 is essential to the operation of
29 the agency for which the appropriations in this Act are provided, and that in
30 the event of an extension of the legislative session, the delay in the
31 effective date of this Act beyond July 1, 2021 could work irreparable harm
32 upon the proper administration and provision of essential governmental
33 programs. Therefore, an emergency is hereby declared to exist and this Act
34 being necessary for the immediate preservation of the public peace, health
35 and safety shall be in full force and effect from and after July 1, 2021.

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/s/Joint Budget Committee