

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 283 of the Regular Session

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009  
4

# A Bill

HOUSE BILL 1421

5 By: Representative Saunders  
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## For An Act To Be Entitled

9 AN ACT TO ALLOW THE DEPARTMENT OF CORRECTION TO  
10 ISSUE SURPLUS ITEMS PROCESSED BY THE FARMING  
11 OPERATIONS OF THE DEPARTMENT; AND FOR OTHER  
12 PURPOSES.  
13

## Subtitle

14 TO ALLOW THE DEPARTMENT OF CORRECTION TO  
15 ISSUE SURPLUS ITEMS PROCESSED BY THE  
16 FARMING OPERATIONS OF THE DEPARTMENT.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code § 12-27-116 is amended to read as follows:

23 12-27-116. Use of fuel and provisions – Issuance or sale of items  
24 produced.

25 (a) Except as authorized by the Board of Corrections, no officer of  
26 the Department of Correction or employee of the department shall give to  
27 anyone any fuel, forage, provisions, or manufactured articles under his or  
28 her charge, nor permit such things to be taken or used except for the use and  
29 benefit of the state.

30 (b)(1) The department shall adopt rules and regulations to establish a  
31 program to provide for the orderly and equitable issuance or sale of surplus  
32 items produced or processed by the farming operations of the department to  
33 employees and, in addition, shall implement a monitoring system to guarantee  
34 fiscal accountability in that program.

35 (2) Only those individuals identified as emergency force



1 personnel meeting the following requirements may participate in the issuance  
2 of items under this program:

3 (A) Individuals whose duties require long working hours  
4 beyond the normal workday of approximately 8:00 a.m. to 5:00 p.m., and the  
5 normal workweek of five (5) days a week;

6 (B) Individuals required for long working hours, regularly  
7 worked weekends, and holidays; or

8 (C) Individuals on twenty-four-hour call, seven (7) days a  
9 week.

10 (3) Reasonable quantities, as determined by availability after  
11 meeting the needs of the inmate population, of items produced or processed by  
12 the farming operations of the department or purchased in bulk for processing.

13 (4) There shall be a twenty-five dollar (\$25.00) per month  
14 minimum allowance for commissary items.

15 (5)(A) Fresh surplus vegetables will be available at the cost of  
16 production as determined by the Department of Correction's Farm Accounting  
17 Division and Central Office Accounting Division to all nonemergency force  
18 employees.

19 (B) Vegetables will be for the use of the employee and  
20 domicile correction's family only.

21 (C) Only one (1) member of the domicile family will be  
22 entitled to the issuance or purchase of vegetables.

23 (6) The department will implement, maintain, and guarantee  
24 accountability of all items so issued to assure fiscal responsibility and  
25 total honesty in the program.

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27 **APPROVED: 3/03/2009**  
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