

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

# A Bill

HOUSE BILL 1009

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 COMMUNITY CORRECTION; AND  
11 FOR OTHER PURPOSES.  
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## Subtitle

14 AN ACT FOR THE DEPARTMENT OF CORRECTIONS  
15 - DIVISION OF COMMUNITY CORRECTION  
16 REAPPROPRIATION.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. REAPPROPRIATION - CAPITAL IMPROVEMENT PROJECTS. There is  
23 hereby appropriated, to the Department of Corrections, to be payable from the  
24 Development and Enhancement Fund, for the Department of Corrections -  
25 Division of Community Correction the following:

26 (A) Effective July 1, 2020, the balance of the Department of  
27 Corrections appropriation provided in Item (A) of Section 1 of Act 409 of  
28 2019, for various maintenance, acquisition, replacement, repair, expansion,  
29 construction, equipping, renovation, purchase, improvement and upgrade of  
30 real property and facilities of the Division of Community Correction, in a  
31 sum not to exceed  
32 .....\$10,000,000.

33 (B) Effective July 1, 2020, the balance of the appropriation provided  
34 in Item (B) of Section 1 of Act 409 of 2019, for replacement of HVAC  
35 Actuators and Controllers, and valves for Actuators at CAC in Little Rock, in  
36 a sum not to exceed .....\$72,000.



1 (C) Effective July 1, 2020, the balance of the appropriation provided  
2 in Item (C) of Section 1 of Act 409 of 2019, for replacement of Air Handler  
3 Units, Actuators, and Controllers at ECCCC in West Memphis, in a sum not to  
4 exceed .....\$270,000.

5 (D) Effective July 1, 2020, the balance of the appropriation provided  
6 in Item (D) of Section 1 of Act 409 of 2019, for roof replacement at ECCCC in  
7 West Memphis, in a sum not to exceed .....\$350,000.

8 (E) Effective July 1, 2020, the balance of the appropriation provided  
9 in Item (E) of Section 1 of Act 409 of 2019, for Heating Water System (VFD)  
10 and Sensor Controllers at Omega in Malvern, in a sum not to exceed ..\$20,000.

11 (F) Effective July 1, 2020, the balance of the appropriation provided  
12 in Item (F) of Section 1 of Act 409 of 2019, for Air Handler Upgrades at  
13 SWACC in Texarkana - Hospital Renovation, in a sum not to exceed ..\$150,000.

14 (G) Effective July 1, 2020, the balance of the appropriation provided  
15 in Item (G) of Section 1 of Act 409 of 2019, for replacement of Domestic Hot  
16 Water Tank and Controllers at NEACC in Osceola, in a sum not to exceed  
17 .....\$16,000.

18 (H) Effective July 1, 2020, the balance of the appropriation provided  
19 in Item (H) of Section 1 of Act 409 of 2019, for repaving/resurfacing parking  
20 lot at NEACC in Osceola, in a sum not to exceed .....\$420,000.

21 (I) Effective July 1, 2020, the balance of the appropriation provided  
22 in Item (I) of Section 1 of Act 409 of 2019, for replacement of HVAC Controls  
23 at NWCCC in Fayetteville, in a sum not to exceed .....\$120,000.

24 (J) Effective July 1, 2020, the balance of the appropriation provided  
25 in Item (J) of Section 1 of Act 409 of 2019, for increasing capacity by 135  
26 beds at Southwest Community Correction Center in Texarkana, in a sum not to  
27 exceed .....\$97,562.

28 (K) Effective July 1, 2020, the balance of the appropriation provided  
29 in Item (K) of Section 1 of Act 409 of 2019, for increasing capacity by  
30 adding 100 beds to East Central Community Correction Center in West Memphis,  
31 in a sum not to exceed .....\$74,706.

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33 SECTION 2. REAPPROPRIATION - CAPITAL IMPROVEMENT PROJECTS - SPECIAL  
34 REVENUE. There is hereby appropriated, to the Department of Corrections, to  
35 be payable from the Community Correction Revolving Fund, for Department of  
36 Corrections - Division of Community Correction the following:

1 (A) Effective July 1, 2020, the balance of the appropriation provided  
 2 in Section 2 of Act 409 of 2019, for maintenance, acquisition, replacement,  
 3 repair, expansion, construction, equipping, renovation, purchase, improvement  
 4 and upgrade of real property and facilities of the Division of Community  
 5 Correction, in a sum not to exceed  
 6 .....\$10,000,000.

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 8 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
 9 obligations otherwise incurred in relation to the project or projects  
 10 described herein in excess of the State Treasury funds actually available  
 11 therefor as provided by law. Provided, however, that institutions and  
 12 agencies listed herein shall have the authority to accept and use grants and  
 13 donations including Federal funds, and to use its unobligated cash income or  
 14 funds, or both available to it, for the purpose of supplementing the State  
 15 Treasury funds for financing the entire costs of the project or projects  
 16 enumerated herein. Provided further, that the appropriations and funds  
 17 otherwise provided by the General Assembly for Maintenance and General  
 18 Operations of the agency or institutions receiving appropriation herein shall  
 19 not be used for any of the purposes as appropriated in this act.

20 (B) The restrictions of any applicable provisions of the State  
 21 Purchasing Law, the General Accounting and Budgetary Procedures Law, the  
 22 Revenue Stabilization Law and any other applicable fiscal control laws of  
 23 this State and regulations promulgated by the Department of Finance and  
 24 Administration, as authorized by law, shall be strictly complied with in  
 25 disbursement of any funds provided by this act unless specifically provided  
 26 otherwise by law.

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 28 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General  
 29 Assembly that any funds disbursed under the authority of the appropriations  
 30 contained in this act shall be in compliance with the stated reasons for  
 31 which this act was adopted, as evidenced by the Agency Requests, Executive  
 32 Recommendations and Legislative Recommendations contained in the budget  
 33 manuals prepared by the Department of Finance and Administration, letters, or  
 34 summarized oral testimony in the official minutes of the Arkansas Legislative  
 35 Council or Joint Budget Committee which relate to its passage and adoption.

1           SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General  
2 Assembly, that the Constitution of the State of Arkansas prohibits the  
3 appropriation of funds for more than a one (1) year period; that the  
4 effectiveness of this Act on July 1, 2020 is essential to the operation of  
5 the agency for which the appropriations in this Act are provided, and that in  
6 the event of an extension of the legislative session, the delay in the  
7 effective date of this Act beyond July 1, 2020 could work irreparable harm  
8 upon the proper administration and provision of essential governmental  
9 programs. Therefore, an emergency is hereby declared to exist and this Act  
10 being necessary for the immediate preservation of the public peace, health  
11 and safety shall be in full force and effect from and after July 1, 2020.

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