

State of Arkansas
87th General Assembly
Fiscal Session, 2010

A Bill

HOUSE BILL 1171

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR THE PAYMENT
OF REIMBURSEMENT TO COUNTIES HOUSING STATE
INMATES FOR THE DEPARTMENT OF CORRECTION WHICH
SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE
FUNDS APPROPRIATED BY ACT 1285 OF 2009; AND FOR
OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF CORRECTION
- COUNTY JAIL REIMBURSEMENT SUPPLEMENTAL
APPROPRIATION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. APPROPRIATION – COUNTY JAIL REIMBURSEMENT. There is hereby
appropriated, to the Department of Correction, to be payable from the County
Jail Reimbursement Fund, for the payment of reimbursement to counties housing
state inmates of the Department of Correction which shall be supplemental and
in addition to those funds appropriated in Section 15 of Act 1285 of 2009,
the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) REIMBURSEMENT TO COUNTIES HOUSING STATE INMATES	<u>\$ 8,200,000</u>



1
2 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING
4 TRANSFER. Notwithstanding the provisions of Section 3(b) of Acts 1442 and
5 1443 of 2009 to the contrary regarding the allocation of the remaining 25% of
6 the moneys set-aside in the Legislative Division of the 87th Session Projects
7 Account of the General Improvement Fund to the various projects enumerated in
8 subsection (c) of Section 3 during the fiscal year ending June 30, 2011,
9 immediately upon the effective date of this Act, the Chief Fiscal Officer of
10 the State shall transfer on his or her books and those of the State Treasurer
11 and Auditor of State, the sum of four million two hundred thousand dollars
12 (\$4,200,000) from the remaining 25% of the funds set-aside in Section 3(b) of
13 Acts 1442 and 1443 of 2009 to the County Jail Reimbursement Fund established
14 by A.C.A. §19-5-1045.
15

16 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING
18 TRANSFER. Immediately upon the effective date of this Act, the Chief Fiscal
19 Officer of the State shall transfer on his or her books and those of the
20 State Treasurer and Auditor of State, the sum of three million dollars
21 (\$3,000,000) from the Executive Discretionary Division funding provided in
22 Section 3(b) of Acts 1442 and 1443 of 2009 to the County Jail Reimbursement
23 Fund established by A.C.A. §19-5-1045.
24

25 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
26 by this act shall be limited to the appropriation for such agency and funds
27 made available by law for the support of such appropriations; and the
28 restrictions of the State Procurement Law, the General Accounting and
29 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
30 Procedures and Restrictions Act, or their successors, and other fiscal
31 control laws of this State, where applicable, and regulations promulgated by
32 the Department of Finance and Administration, as authorized by law, shall be
33 strictly complied with in disbursement of said funds.
34

35 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General Assembly
36 that any funds disbursed under the authority of the appropriations contained

1 in this act shall be in compliance with the stated reasons for which this act
2 was adopted, as evidenced by the Agency Requests, Executive Recommendations
3 and Legislative Recommendations contained in the budget manuals prepared by
4 the Department of Finance and Administration, letters, or summarized oral
5 testimony in the official minutes of the Arkansas Legislative Council or
6 Joint Budget Committee which relate to its passage and adoption.

7
8 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General
9 Assembly, that funds provided by the General Assembly for the operations of
10 the Department of Correction are, due to unforeseen circumstances,
11 insufficient for the Department of Correction to continue to provide
12 essential governmental services; that the provisions of this act will provide
13 the necessary monies for the Department of Correction to continue such
14 services; and that a delay in the effective date of this Act could work
15 irreparable harm upon the proper administration and provision of essential
16 governmental programs. Therefore, an emergency is hereby declared to exist
17 and this Act being necessary for the immediate preservation of the public
18 peace, health and safety shall be in full force and effect from and after the
19 date of its passage and approval.

20 If the bill is neither approved nor vetoed by the Governor, it shall become
21 effective on the expiration of the period of time during which the Governor
22 may veto the bill. If the bill is vetoed by the Governor and the veto is
23 overridden, it shall become effective on the date the last house overrides
24 the veto.