

1 State of Arkansas  
2 89th General Assembly  
3 Fiscal Session, 2014  
4

# A Bill

HOUSE BILL 1097

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 PROFESSIONAL BAIL  
10 BONDSMAN LICENSING BOARD FOR THE FISCAL YEAR ENDING  
11 JUNE 30, 2015; AND FOR OTHER PURPOSES.  
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## Subtitle

14 AN ACT FOR THE PROFESSIONAL BAIL BONDSMAN  
15 LICENSING BOARD APPROPRIATION FOR THE  
16 2014-2015 FISCAL YEAR.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. REGULAR SALARIES. There is hereby established for the  
23 Professional Bail Bondsman Licensing Board for the 2014-2015 fiscal year, the  
24 following maximum number of regular employees.  
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2014-2015
30	(1) X022C	BAIL BONDSMAN BOARD EXECUTIVE DIR	1	GRADE C124
31	(2) X168C	BAIL BONDSMAN BOARD INVESTIGATOR	1	GRADE C113
32	(3) C056C	ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE C112
33	MAX. NO. OF EMPLOYEES		3	

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35 SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated,  
36 to the Professional Bail Bondsman Licensing Board, to be payable from the



1 Bail Bondsman Board Fund, for personal services and operating expenses of the  
 2 Professional Bail Bondsman Licensing Board for the fiscal year ending June  
 3 30, 2015, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2014-2015</u>
7 (01) REGULAR SALARIES	\$136,639
8 (02) PERSONAL SERVICES MATCHING	43,251
9 (03) MAINT. & GEN. OPERATION	
10 (A) OPER. EXPENSE	103,386
11 (B) CONF. & TRAVEL	3,000
12 (C) PROF. FEES	35,000
13 (D) CAP. OUTLAY	0
14 (E) DATA PROC.	<u>0</u>
15 TOTAL AMOUNT APPROPRIATED	<u><u>\$321,276</u></u>

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 17 SECTION 3. APPROPRIATION - TREASURY CASH REIMBURSEMENTS. There is  
 18 hereby appropriated, to the Professional Bail Bondsman Licensing Board, to be  
 19 payable from the cash fund deposited in the State Treasury as determined by  
 20 the Chief Fiscal Officer of the State, to process security deposits and pay  
 21 outstanding judgments of bail bonds companies that go out of business by the  
 22 Professional Bail Bondsman Licensing Board for the fiscal year ending June  
 23 30, 2015, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2014-2015</u>
27 (01) REFUNDS/REIMBURSEMENTS	<u><u>\$500,000</u></u>

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 29 SECTION 4. APPROPRIATION. BAIL BOND RECOVERY. There is hereby  
 30 appropriated, to the Professional Bail Bondsman Licensing Board, to be  
 31 payable from the Bail Bond Recovery Fund, for personal services and operating  
 32 expenses for the recovery of forfeited professional bonds for the fiscal year  
 33 ending June 30, 2015, the sum of .....\$3,500,000.

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 35 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND

1 TRANSFER. The Professional Bail Bondsman Licensing Board, at the end of each  
2 fiscal year, shall transfer all but twenty-five percent (25%) of its fund  
3 balance to the General Revenue Fund Account in the State Treasury.

4 The provisions of this section shall be in effect only from July 1, ~~2012~~  
5 2014 through June 30, ~~2013~~ 2015.

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7 SECTION 6. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in  
8 this Act for Maintenance and General Operation shall be expended in payment  
9 for services of attorneys, unless the agency shall first make a request in  
10 writing to the Attorney General of the State of Arkansas to provide the  
11 required legal services. The Attorney General's Office shall provide the  
12 requested legal services, or, if the Attorney General's Office shall  
13 determine that sufficient personnel are not available to provide the  
14 requested legal services, the Attorney General shall certify the same to the  
15 agency and may authorize the agency to employ legal counsel and to expend  
16 monies appropriated for Maintenance and General Operations therefor, if:

17 (1) The Attorney General determines, and certifies in writing, that  
18 such agency needs the advice or assistance of legal counsel, and

19 (2) The Attorney General consents in writing to the employment of the  
20 legal counsel to be retained by the agency.

21 Such certification shall be required with respect to each instance of  
22 the employment of special legal counsel, or shall be required annually with  
23 respect to legal counsel employed on a retainer basis. A copy of such  
24 certification shall be entered in the official minutes of the agency, and  
25 shall be retained in the fiscal records of the agency for audit purposes.

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27 SECTION 7. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
28 authorized by this act shall be limited to the appropriation for such agency  
29 and funds made available by law for the support of such appropriations; and  
30 the restrictions of the State Procurement Law, the General Accounting and  
31 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
32 Procedures and Restrictions Act, or their successors, and other fiscal  
33 control laws of this State, where applicable, and regulations promulgated by  
34 the Department of Finance and Administration, as authorized by law, shall be  
35 strictly complied with in disbursement of said funds.

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1           SECTION 8. LEGISLATIVE INTENT. It is the intent of the General  
2 Assembly that any funds disbursed under the authority of the appropriations  
3 contained in this act shall be in compliance with the stated reasons for  
4 which this act was adopted, as evidenced by the Agency Requests, Executive  
5 Recommendations and Legislative Recommendations contained in the budget  
6 manuals prepared by the Department of Finance and Administration, letters, or  
7 summarized oral testimony in the official minutes of the Arkansas Legislative  
8 Council or Joint Budget Committee which relate to its passage and adoption.

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10           SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General  
11 Assembly, that the Constitution of the State of Arkansas prohibits the  
12 appropriation of funds for more than a one (1) year period; that the  
13 effectiveness of this Act on July 1, 2014 is essential to the operation of  
14 the agency for which the appropriations in this Act are provided, and that in  
15 the event of an extension of the legislative session, the delay in the  
16 effective date of this Act beyond July 1, 2014 could work irreparable harm  
17 upon the proper administration and provision of essential governmental  
18 programs. Therefore, an emergency is hereby declared to exist and this Act  
19 being necessary for the immediate preservation of the public peace, health  
20 and safety shall be in full force and effect from and after July 1, 2014.

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