

1 State of Arkansas  
2 90th General Assembly  
3 Fiscal Session, 2016  
4

# A Bill

HOUSE BILL 1108

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, 2017; AND FOR OTHER PURPOSES.  
12  
13

## Subtitle

14 AN ACT FOR THE PROFESSIONAL BAIL BONDSMAN  
15 LICENSING BOARD APPROPRIATION FOR THE  
16 2016-2017 FISCAL YEAR.  
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18  
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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 2016-2017 fiscal year, the  
24 following maximum number of regular employees.  
25

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2016-2017
30	(1) X022C	BAIL BONDSMAN BOARD EXECUTIVE DIRECTOR	1	GRADE C124
31	(2) X168C	BAIL BONDSMAN BOARD INVESTIGATOR	1	GRADE C113
32	(3) C056C	ADMINISTRATIVE SPECIALIST III	1	GRADE C112
33	(4) A098C	FISCAL SUPPORT SPECIALIST	<u>1</u>	GRADE C112
34	MAX. NO. OF EMPLOYEES		4	

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36 SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated,



1 to the Professional Bail Bondsman Licensing Board, to be payable from the  
 2 Bail Bondsman Board Fund, for personal services and operating expenses of the  
 3 Professional Bail Bondsman Licensing Board - Operations for the fiscal year  
 4 ending June 30, 2017, the following:

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2016-2017</u>
8 (01) REGULAR SALARIES	\$172,324
9 (02) PERSONAL SERVICES MATCHING	57,326
10 (03) MAINT. & GEN. OPERATION	
11 (A) OPER. EXPENSE	103,386
12 (B) CONF. & TRAVEL	3,000
13 (C) PROF. FEES	35,000
14 (D) CAP. OUTLAY	24,500
15 (E) DATA PROC.	<u>0</u>
16 TOTAL AMOUNT APPROPRIATED	<u><u>\$395,536</u></u>

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 18 SECTION 3. APPROPRIATION - TREASURY CASH REIMBURSEMENTS. There is  
 19 hereby appropriated, to the Professional Bail Bondsman Licensing Board, to be  
 20 payable from the cash fund deposited in the State Treasury as determined by  
 21 the Chief Fiscal Officer of the State, to process security deposits and pay  
 22 outstanding judgments of bail bonds companies that go out of business by the  
 23 Professional Bail Bondsman Licensing Board - Treasury Cash Reimbursements for  
 24 the fiscal year ending June 30, 2017, the following:

26 ITEM	FISCAL YEAR
27 <u>NO.</u>	<u>2016-2017</u>
28 (01) REFUNDS/REIMBURSEMENTS	<u><u>\$500,000</u></u>

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 30 SECTION 4. APPROPRIATION - BAIL BOND RECOVERY. There is hereby  
 31 appropriated, to the Professional Bail Bondsman Licensing Board, to be  
 32 payable from the Bail Bond Recovery Fund, for personal services and operating  
 33 expenses for the recovery of forfeited professional bail bonds of the  
 34 Professional Bail Bondsman Licensing Board - Bail Bond Recovery for the  
 35 fiscal year ending June 30, 2017, the following:

1 ITEM	FISCAL YEAR
2 <u>NO.</u>	<u>2016-2017</u>
3 (01) RECOVERY OF FORFEITED PROFESSIONAL	
4 BAIL BONDS	<u>\$3,500,000</u>

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6 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND  
 8 TRANSFER. The Professional Bail Bondsman Licensing Board shall deposit as  
 9 special revenues sufficient fees and penalties directly into the Bail  
 10 Bondsman Board Fund to provide for the personal services and operating  
 11 expenses of the board. At the end of each fiscal year, the Professional Bail  
 12 Bondsman Licensing Board shall be allowed to retain a fund balance sufficient  
 13 to cover the personal services and operating expenses of the board for the  
 14 following fiscal year. Seventy-five percent (75%) of any funds remaining in  
 15 excess of this balance shall be transferred to the General Revenue Fund  
 16 Account in the State Treasury.

17 The provisions of this section shall be in effect only from July 1, ~~2015~~  
 18 2016 through June 30, ~~2016~~ 2017.

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20 SECTION 6. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in  
 21 this Act for Maintenance and General Operation shall be expended in payment  
 22 for services of attorneys, unless the agency shall first make a request in  
 23 writing to the Attorney General of the State of Arkansas to provide the  
 24 required legal services. The Attorney General's Office shall provide the  
 25 requested legal services, or, if the Attorney General's Office shall  
 26 determine that sufficient personnel are not available to provide the  
 27 requested legal services, the Attorney General shall certify the same to the  
 28 agency and may authorize the agency to employ legal counsel and to expend  
 29 monies appropriated for Maintenance and General Operations therefor, if:

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

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

34 Such certification shall be required with respect to each instance of  
 35 the employment of special legal counsel, or shall be required annually with  
 36 respect to legal counsel employed on a retainer basis. A copy of such

1 certification shall be entered in the official minutes of the agency, and  
2 shall be retained in the fiscal records of the agency for audit purposes.

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

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

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23 SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General  
24 Assembly, that the Constitution of the State of Arkansas prohibits the  
25 appropriation of funds for more than a one (1) year period; that the  
26 effectiveness of this Act on July 1, 2016 is essential to the operation of  
27 the agency for which the appropriations in this Act are provided, and that in  
28 the event of an extension of the legislative session, the delay in the  
29 effective date of this Act beyond July 1, 2016 could work irreparable harm  
30 upon the proper administration and provision of essential governmental  
31 programs. Therefore, an emergency is hereby declared to exist and this Act  
32 being necessary for the immediate preservation of the public peace, health  
33 and safety shall be in full force and effect from and after July 1, 2016.