

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

# A Bill

SENATE BILL 327

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS  
9 PUBLIC DEFENDER COMMISSION FOR CAPITAL IMPROVEMENT  
10 PROJECTS; AND FOR OTHER PURPOSES.  
11

## Subtitle

12  
13 AN ACT FOR THE ARKANSAS PUBLIC DEFENDER  
14 COMMISSION - CAPITAL IMPROVEMENT PROJECTS  
15 GENERAL IMPROVEMENT APPROPRIATION.  
16  
17  
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
20

21 SECTION 1. APPROPRIATION - JUVENILE OFFENDERS. There is hereby  
22 appropriated, to the Arkansas Public Defender Commission, to be payable from  
23 the General Improvement Fund or its successor fund or fund accounts, for  
24 expenses related to the resentencing of juveniles sentenced to mandatory life  
25 without parole by the Arkansas Public Defender Commission for the fiscal year  
26 ending June 30, 2018, in a sum not to exceed.....\$2,000,000.  
27

28 SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
29 obligations otherwise incurred in relation to the project or projects  
30 described herein in excess of the State Treasury funds actually available  
31 therefor as provided by law. Provided, however, that institutions and  
32 agencies listed herein shall have the authority to accept and use grants and  
33 donations including Federal funds, and to use its unobligated cash income or  
34 funds, or both available to it, for the purpose of supplementing the State  
35 Treasury funds for financing the entire costs of the project or projects  
36 enumerated herein. Provided further, that the appropriations and funds



1 otherwise provided by the General Assembly for Maintenance and General  
2 Operations of the agency or institutions receiving appropriation herein shall  
3 not be used for any of the purposes as appropriated in this act.

4 (B) The restrictions of any applicable provisions of the State  
5 Purchasing Law, the General Accounting and Budgetary Procedures Law, the  
6 Revenue Stabilization Law and any other applicable fiscal control laws of  
7 this State and regulations promulgated by the Department of Finance and  
8 Administration, as authorized by law, shall be strictly complied with in  
9 disbursement of any funds provided by this act unless specifically provided  
10 otherwise by law.

11  
12 SECTION 3. LEGISLATIVE INTENT. It is the intent of the General  
13 Assembly that any funds disbursed under the authority of the appropriations  
14 contained in this act shall be in compliance with the stated reasons for  
15 which this act was adopted, as evidenced by the Agency Requests, Executive  
16 Recommendations and Legislative Recommendations contained in the budget  
17 manuals prepared by the Department of Finance and Administration, letters, or  
18 summarized oral testimony in the official minutes of the Arkansas Legislative  
19 Council or Joint Budget Committee which relate to its passage and adoption.  
20

21 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General  
22 Assembly, that the Constitution of the State of Arkansas prohibits the  
23 appropriation of funds for more than a one (1) year period; that the  
24 effectiveness of this Act on July 1, 2017 is essential to the operation of  
25 the agency for which the appropriations in this Act are provided, and that in  
26 the event of an extension of the legislative session, the delay in the  
27 effective date of this Act beyond July 1, 2017 could work irreparable harm  
28 upon the proper administration and provision of essential governmental  
29 programs. Therefore, an emergency is hereby declared to exist and this Act  
30 being necessary for the immediate preservation of the public peace, health  
31 and safety shall be in full force and effect from and after July 1, 2017.  
32  
33  
34  
35  
36