

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

# A Bill

SENATE BILL 273

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 ARKANSAS PUBLIC  
10 DEFENDER COMMISSION; AND FOR OTHER PURPOSES.  
11

## Subtitle

12  
13 AN ACT FOR THE ARKANSAS PUBLIC DEFENDER  
14 COMMISSION REAPPROPRIATION.  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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20 SECTION 1. REAPPROPRIATION - JUVENILE OFFENDERS. There is hereby  
21 appropriated, to the Arkansas Public Defender Commission, to be payable from  
22 the Development and Enhancement Fund, for the Arkansas Public Defender  
23 Commission the following:

24 (A) Effective July 1, 2021, the balance of the appropriation provided  
25 in Item (A) of Section 1 of Act 106 of 2020, for expenses related to the  
26 resentencing of juveniles sentenced to mandatory life without parole, in a  
27 sum not to exceed .....\$307,534.

28 (B) Effective July 1, 2021, the balance of the appropriation provided  
29 in Item (B) of Section 1 of Act 106 of 2020, for expenses related to the  
30 resentencing of juveniles sentenced to mandatory life without parole, in a  
31 sum not to exceed .....\$2,000,000.  
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33 SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
34 obligations otherwise incurred in relation to the project or projects  
35 described herein in excess of the State Treasury funds actually available  
36 therefor as provided by law. Provided, however, that institutions and



1 agencies listed herein shall have the authority to accept and use grants and  
 2 donations including Federal funds, and to use its unobligated cash income or  
 3 funds, or both available to it, for the purpose of supplementing the State  
 4 Treasury funds for financing the entire costs of the project or projects  
 5 enumerated herein. Provided further, that the appropriations and funds  
 6 otherwise provided by the General Assembly for Maintenance and General  
 7 Operations of the agency or institutions receiving appropriation herein shall  
 8 not be used for any of the purposes as appropriated in this act.

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

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

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 26 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General  
 27 Assembly, that the Constitution of the State of Arkansas prohibits the  
 28 appropriation of funds for more than a one (1) year period; that the  
 29 effectiveness of this Act on July 1, 2021 is essential to the operation of  
 30 the agency for which the appropriations in this Act are provided, and that in  
 31 the event of an extension of the legislative session, the delay in the  
 32 effective date of this Act beyond July 1, 2021 could work irreparable harm  
 33 upon the proper administration and provision of essential governmental  
 34 programs. Therefore, an emergency is hereby declared to exist and this Act  
 35 being necessary for the immediate preservation of the public peace, health  
 36 and safety shall be in full force and effect from and after July 1, 2021.