

1 State of Arkansas
2 93rd General Assembly
3 Fiscal Session, 2022
4

A Bill

HOUSE BILL 1093

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 DEPARTMENT OF
10 CORRECTIONS - DIVISION OF CORRECTION; AND FOR OTHER
11 PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF CORRECTIONS
15 - DIVISION OF CORRECTION REAPPROPRIATION.
16
17
18

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

21 SECTION 1. REAPPROPRIATION - LEASE PAYMENTS. There is hereby
22 appropriated, to the Department of Corrections, to be payable from the
23 Development and Enhancement Fund, for the Department of Corrections -
24 Division of Correction the following:

25 (A) Effective July 1, 2022, the balance of the appropriation provided
26 in Item (A) of Section 1 of Act 999 of 2021, for lease payments associated
27 with debt service of facilities at Malvern and Newport, for additional prison
28 beds, including the Special Needs Unit at Malvern, in a sum not to exceed
29\$14,105,000.

30 (B) Effective July 1, 2022, the balance of the appropriation provided
31 in Item (I) of Section 1 of Act 213 of 2021, for lease payments associated
32 with debt service on a 948-bed institution at Malvern, a 400-bed addition at
33 the Grimes Unit at Newport, and 862-bed Special Needs Unit and addition to
34 the Ouachita River Unit at Malvern, in a sum not to exceed\$573.
35

36 SECTION 2. REAPPROPRIATION - CAPITAL IMPROVEMENT PROJECTS. There is



1 hereby appropriated, to the Department of Corrections, to be payable from the
2 Development and Enhancement Fund, for the Department of Corrections -
3 Division of Correction the following:

4 (A) Effective July 1, 2022, the balance of the appropriation provided
5 in Item (A) of Section 2 of Act 999 of 2021, for upgrades to the Tucker Water
6 Treatment Plant, in a sum not to exceed\$320,450.

7 (B) Effective July 1, 2022, the balance of the appropriation provided
8 in Item (B) of Section 2 of Act 999 of 2021, for construction, replacement,
9 and maintenance of equipment for East Arkansas Water Waste Project, in a sum
10 not to exceed\$613,000.

11 (C) Effective July 1, 2022, the balance of the appropriation provided
12 in Item (C) of Section 2 of Act 999 of 2021, for additional well to provide
13 drinking water to Cummins & Varner Units, in a sum not to exceed ...\$370,000.

14 (D) Effective July 1, 2022, the balance of the appropriation provided
15 in Item (D) of Section 2 of Act 999 of 2021, for construction, renovation and
16 maintenance for the ORCU Waste Water Project, in a sum not to exceed
17\$200,000.

18 (E) Effective July 1, 2022, the balance of the appropriation provided
19 in Item (E) of Section 2 of Act 999 of 2021, for construction, renovation and
20 maintenance for the Varner Water Well, in a sum not to exceed\$600,000.

21 (F) Effective July 1, 2022, the balance of the appropriation provided
22 in Item (F) of Section 2 of Act 999 of 2021, for construction, renovation and
23 maintenance of facilities related to water treatment, water wells, and
24 wastewater management for various units, in a sum not to exceed\$896,550.

25 (G) Effective July 1, 2022, the balance of the appropriation provided
26 in Item (G) of Section 2 of Act 999 of 2021, for lethal fence upgrades at
27 various units, in a sum not to exceed\$345,000.

28 (H) Effective July 1, 2022, the balance of the appropriation provided
29 in Item (H) of Section 2 of Act 999 of 2021, for lethal fence upgrades at
30 East Arkansas, Pine Bluff, RLW & MAX Units, in a sum not to exceed
31\$800,000.

32 (I) Effective July 1, 2022, the balance of the appropriation provided
33 in Item (I) of Section 2 of Act 999 of 2021, for lethal fence upgrades at
34 Cummins & Varner Units, in a sum not to exceed\$600,000.

35 (J) Effective July 1, 2022, the balance of the appropriation provided
36 in Item (J) of Section 2 of Act 999 of 2021, for fence replacement at Delta,

1 North Central, Wrightsville & Ester Units, in a sum not to exceed
2\$1,255,000.

3 (K) Effective July 1, 2022, the balance of the appropriation provided
4 in Item (K) of Section 2 of Act 999 of 2021, for replacement, upgrades and
5 additions to current camera security systems at all units, in a sum not to
6 exceed\$3,000,000.

7 (L) Effective July 1, 2022, the balance of the appropriation provided
8 in Item (L) of Section 2 of Act 999 of 2021, for construction, renovation and
9 maintenance of facilities and Central Warehouse, in a sum not to exceed
10\$5,000,000.

11 (M) Effective July 1, 2022, the balance of the appropriation provided
12 in Item (M) of Section 2 of Act 999 of 2021, for fire alarm upgrades at
13 various units, in a sum not to exceed\$500,000.

14 (N) Effective July 1, 2022, the balance of the appropriation provided
15 in Item (A) of Section 1 of Act 213 of 2021, for personal services and
16 operating expenses of the Division of Correction - Ester Unit, in a sum not
17 to exceed\$80.

18 (O) Effective July 1, 2022, the balance of the appropriation provided
19 in Item (B) of Section 1 of Act 213 of 2021, for personal services and
20 operating expenses of the Division of Correction - Female Work Release - Pine
21 Bluff, in a sum not to exceed\$868,231.

22 (P) Effective July 1, 2022, the balance of the appropriation provided
23 in Item (C) of Section 1 of Act 213 of 2021, for operating expenses of the
24 Tucker Unit, in a sum not to exceed\$74,627.

25 (Q) Effective July 1, 2022, the balance of the appropriation provided
26 in Item (D) of Section 1 of Act 213 of 2021, for maintenance, replacement,
27 repair, expansion, construction, equipping, renovation, purchase, improvement
28 and upgrade of existing facilities of the Division of Correction, in a sum
29 not to exceed\$2,220,279.

30 (R) Effective July 1, 2022, the balance of the appropriation provided
31 in Item (E) of Section 1 of Act 213 of 2021, for construction to expand the
32 existing visitation center at the McPherson Unit, in a sum not to exceed
33\$693.

34 (S) Effective July 1, 2022, the balance of the appropriation provided
35 in Item (F) of Section 1 of Act 213 of 2021, for construction to expand the
36 existing Administration Building at the McPherson Unit, in a sum not to

1 exceed\$134.

2 (T) Effective July 1, 2022, the balance of the appropriation provided
3 in Item (G) of Section 1 of Act 213 of 2021, for construction of two armories
4 at the Varner and Tucker Units, in a sum not to exceed\$28,960.

5 (U) Effective July 1, 2022, the balance of the appropriation provided
6 in Item (H) of Section 1 of Act 213 of 2021, for replacement of the existing
7 Water Treatment Plant at the Tucker Unit, in a sum not to exceed
8\$1,093,848.

9

10 SECTION 3. REAPPROPRIATION - PANDEMIC AND CATASTROPHIC NEEDS. There is
11 hereby appropriated, to the Department of Corrections, to be payable from the
12 Development and Enhancement Fund, for the Department of Corrections -
13 Division of Correction the following:

14 (A) Effective July 1, 2022, the balance of the appropriation provided
15 in Item (A) of Section 3 of Act 999 of 2021, for contingency payment in case
16 of pandemic, natural or catastrophic disasters, in a sum not to exceed
17\$5,000,000.

18

19 SECTION 4. REAPPROPRIATION - VARIOUS INDUSTRY PROJECTS - CASH. There
20 is hereby appropriated, to the Department of Corrections, to be payable from
21 the cash fund deposited in the State Treasury as determined by the Chief
22 Fiscal Officer of the State, for the Department of Corrections - Division of
23 Correction the following:

24 (A) Effective July 1, 2022, the balance of the appropriation provided
25 in Item (A) of Section 2 of Act 213 of 2021, for construction, renovation and
26 major maintenance of facilities and Central Warehouse of the Division of
27 Correction, in a sum not to exceed\$5,000,000.

28

29 SECTION 5. REAPPROPRIATION - VARIOUS INDUSTRY PROJECTS. There is
30 hereby appropriated, to the Department of Corrections, to be payable from the
31 Division of Correction Prison Industry Fund, for the Department of
32 Corrections - Division of Correction the following:

33 (A) Effective July 1, 2022, the balance of the appropriation provided
34 in Item (A) of Section 5 of Act 999 of 2021, for maintenance, replacement,
35 repair, expansion, construction, equipping, renovation, purchase,
36 improvement, and upgrade of the Department of Corrections - Various Industry

1 Projects, in a sum not to exceed\$1,000,000.

2 (B) Effective July 1, 2022, the balance of the appropriation provided
3 in Item (A) of Section 4 of Act 213 of 2021, for maintenance, replacement,
4 repair, expansion, construction, equipping, renovation, purchase, improvement
5 and upgrade of the Division of Correction - Various Industry Projects, in a
6 sum not to exceed\$6,312.

7 (C) Effective July 1, 2022, the balance of the appropriation provided
8 in Item (B) of Section 4 of Act 213 of 2021, for various industry projects
9 including storage at the Wrightsville Unit near the industry buildings, in a
10 sum not to exceed\$150,000.

11 (D) Effective July 1, 2022, the balance of the appropriation provided
12 in Item (C) of Section 4 of Act 213 of 2021, for various industry projects
13 for maintenance, replacement, repair, expansion, construction, equipping,
14 renovation, purchase, improvement, and upgrade of the Division of Correction,
15 in a sum not to exceed\$1,000,000.

16 (E) Effective July 1, 2022, the balance of the appropriation provided
17 in Item (D) of Section 4 of Act 213 of 2021, for construction, renovation and
18 major maintenance of facilities and Central Warehouse, in a sum not to exceed
19\$5,000,000.

20
21 SECTION 6. REAPPROPRIATION - VARIOUS FARM PROJECTS. There is hereby
22 appropriated, to the Department of Corrections, to be payable from the
23 Division of Correction Farm Fund, for the Department of Corrections -
24 Division of Correction the following:

25 (A) Effective July 1, 2022, the balance of the appropriation provided
26 in Item (A) of Section 4 of Act 999 of 2021, for maintenance, replacement,
27 repair, expansion, construction, equipping, renovation, purchase,
28 improvement, and upgrade of the Department of Corrections - Various Farm
29 Projects, in a sum not to exceed\$1,000,000.

30 (B) Effective July 1, 2022, the balance of the appropriation provided
31 in Item (A) of Section 3 of Act 213 of 2021, for maintenance, replacement,
32 repair, expansion, construction, equipping, renovation, purchase,
33 improvement, and upgrade of the Division of Correction - Various Farm
34 Projects, in a sum not to exceed\$1,000,000.

35 (C) Effective July 1, 2022, the balance of the appropriation provided
36 in Item (B) of Section 3 of Act 213 of 2021, for construction of grain

1 storage bins at the East Arkansas Unit, in a sum not to exceed\$200,000.

2 (D) Effective July 1, 2022, the balance of the appropriation provided
3 in Item (C) of Section 3 of Act 213 of 2021, for construction of grain
4 storage bins at the Tucker Unit, in a sum not to exceed\$200,000.

5 (E) Effective July 1, 2022, the balance of the appropriation provided
6 in Item (D) of Section 3 of Act 213 of 2021, for renovation of the current
7 dairy facility and replacement of equipment, in a sum not to exceed
8\$2,799,800.

9 (F) Effective July 1, 2022, the balance of the appropriation provided
10 in Item (E) of Section 3 of Act 213 of 2021, for construction of grain
11 storage bins at Cummins, Tucker and East Arkansas Units, in a sum not to
12 exceed\$2,430,250.

13 (G) Effective July 1, 2022, the balance of the appropriation provided
14 in Item (F) of Section 3 of Act 213 of 2021, for maintenance and repair to
15 upgrade the existing feed mill at the Cummins Unit, in a sum not to exceed
16\$889,750.

17 (H) Effective July 1, 2022, the balance of the appropriation provided
18 in Item (G) of Section 3 of Act 213 of 2021, for Irrigation Project at
19 Tucker/Cummins, in a sum not to exceed\$110,000.

20 (I) Effective July 1, 2022, the balance of the appropriation provided
21 in Item (H) of Section 3 of Act 213 of 2021, for various farm projects for
22 maintenance, replacement, repair, expansion, construction, equipping,
23 renovation, purchase, improvement, and upgrade of the Division of Correction,
24 in a sum not to exceed\$1,000,000.

25
26 SECTION 7. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
27 obligations otherwise incurred in relation to the project or projects
28 described herein in excess of the State Treasury funds actually available
29 therefor as provided by law. Provided, however, that institutions and
30 agencies listed herein shall have the authority to accept and use grants and
31 donations including Federal funds, and to use its unobligated cash income or
32 funds, or both available to it, for the purpose of supplementing the State
33 Treasury funds for financing the entire costs of the project or projects
34 enumerated herein. Provided further, that the appropriations and funds
35 otherwise provided by the General Assembly for Maintenance and General
36 Operations of the agency or institutions receiving appropriation herein shall

1 not be used for any of the purposes as appropriated in this act.

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

9
 10 SECTION 8. LEGISLATIVE INTENT. It is the intent of the General
 11 Assembly that any funds disbursed under the authority of the appropriations
 12 contained in this act shall be in compliance with the stated reasons for
 13 which this act was adopted, as evidenced by the Agency Requests, Executive
 14 Recommendations and Legislative Recommendations contained in the budget
 15 manuals prepared by the Department of Finance and Administration, letters, or
 16 summarized oral testimony in the official minutes of the Arkansas Legislative
 17 Council or Joint Budget Committee which relate to its passage and adoption.

18
 19 SECTION 9. EFFECTIVE DATE. This act is effective on and after July 1,
 20 2022.