

Stricken language will be deleted and underlined language will be added.

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

As Engrossed: S3/2/22
A Bill

SENATE BILL 23

5 By: Joint Budget Committee
6

7 **For An Act To Be Entitled**

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR TRIAL COURT
10 ADMINISTRATORS, THE OFFICIAL COURT REPORTERS OF THE
11 CIRCUIT COURTS, JUVENILE PROBATION AND INTAKE
12 OFFICERS AND DRUG COURT JUVENILE PROBATION AND INTAKE
13 OFFICERS FOR THE FISCAL YEAR ENDING JUNE 30, 2023;
14 AND FOR OTHER PURPOSES.
15

16
17 **Subtitle**

18 AN ACT FOR THE ADMINISTRATIVE OFFICE OF
19 THE COURTS - COURT PERSONNEL
20 APPROPRIATION FOR THE 2022-2023 FISCAL
21 YEAR.
22

23
24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
25

26 SECTION 1. REGULAR SALARIES - TRIAL COURT ADMINISTRATORS. There is
27 hereby established for the Administrative Office of the Courts - Trial Court
28 Administrators for the 2022-2023 fiscal year, the following maximum number of
29 regular employees.
30

| Item | Class | | Maximum | Maximum Annual |
|------|-------|---------------------------|------------|----------------|
| No. | Code | Title | No. of | Salary Rate |
| | | | Employees | Fiscal Year |
| | | | | 2022-2023 |
| (1) | Q226C | TRIAL COURT ADMINISTRATOR | <u>127</u> | GRADE GS07 |
| | | MAX. NO. OF EMPLOYEES | 127 | |



SECTION 2. APPROPRIATION - TRIAL COURT ADMINISTRATORS. There is hereby appropriated, to the Administrative Office of the Courts, to be payable from the *State Central Services Fund*, for personal services, Trial Court Administrator Substitutes expenses and Trial Court Administrators expenses of the Trial Court Administrators of the Circuit Courts for the fiscal year ending June 30, 2023, the following:

| ITEM | FISCAL YEAR |
|--|---------------------------|
| <u>NO.</u> | <u>2022-2023</u> |
| (01) REGULAR SALARIES | \$6,367,803 |
| (02) PERSONAL SERVICES MATCHING | 2,165,040 |
| (03) TRIAL COURT ADMINISTRATOR EXPENSES | 175,000 |
| (04) TRIAL COURT ADMINISTRATOR SUBSTITUTES | <u>175,000</u> |
| TOTAL AMOUNT APPROPRIATED | <u><u>\$8,882,843</u></u> |

SECTION 3. REGULAR SALARIES - COURT REPORTERS. There is hereby established for the Administrative Office of the Courts - Official Court Reporters of the Circuit Courts for the 2022-2023 fiscal year, the following maximum number of regular employees.

| Item Class | Maximum No. of Employees | Maximum Annual Salary Rate Fiscal Year 2022-2023 |
|--------------------------|--------------------------------|---|
| <u>No. Code Title</u> | <u>Employees</u> | <u>2022-2023</u> |
| (1) Q227C COURT REPORTER | <u>127</u> | GRADE GS08 |
| MAX. NO. OF EMPLOYEES | 127 | |

SECTION 4. APPROPRIATION - COURT REPORTERS. There is hereby appropriated, to the Administrative Office of the Courts, to be payable from the *State Central Services Fund*, for personal services, expenses allowance, indigent transcripts and court reporter substitutes of the Official Court Reporters of the Circuit Courts for the fiscal year ending June 30, 2023, the following:

| ITEM | FISCAL YEAR |
|------|-------------|
|------|-------------|

| | | |
|---|---------------------------------|---------------------|
| 1 | <u>NO.</u> | <u>2022-2023</u> |
| 2 | (01) REGULAR SALARIES | \$7,210,472 |
| 3 | (02) PERSONAL SERVICES MATCHING | 2,403,490 |
| 4 | (03) EXPENSES ALLOWANCE | 350,000 |
| 5 | (04) INDIGENT TRANSCRIPTS | 600,000 |
| 6 | (05) COURT REPORTER SUBSTITUTES | <u>375,000</u> |
| 7 | TOTAL AMOUNT APPROPRIATED | <u>\$10,938,962</u> |

8

9 SECTION 5. APPROPRIATION - JUVENILE PROBATION & INTAKE OFFICERS. There
 10 is hereby appropriated, to the Administrative Office of the Courts, to be
 11 payable from the State Central Services Fund, for reimbursement of a portion
 12 of the salaries of full-time juvenile probation and intake officers in
 13 accordance with Arkansas Code 16-13-327 and Arkansas Code 16-13-328 for the
 14 fiscal year ending June 30, 2023, the following:

15

| | | |
|----|---|--------------------|
| 16 | ITEM | FISCAL YEAR |
| 17 | <u>NO.</u> | <u>2022-2023</u> |
| 18 | (01) JUVENILE PROBATION & INTAKE OFFICERS | <u>\$4,618,100</u> |

19

20 SECTION 6. REGULAR SALARIES - DRUG COURT JUVENILE PROBATION & INTAKE
 21 OFFICERS. There is hereby established for the Administrative Office of the
 22 Courts - Drug Court Juvenile Probation & Intake Officers for the 2022-2023
 23 fiscal year, the following maximum number of regular employees.

24

| | | | |
|----|--|------------------|------------------|
| 25 | | | Maximum Annual |
| 26 | | Maximum | Salary Rate |
| 27 | Item Class | No. of | Fiscal Year |
| 28 | <u>No. Code Title</u> | <u>Employees</u> | <u>2022-2023</u> |
| 29 | (1) Q231C DRUG COURT JUV PROB & INTAKE OFF | <u>13</u> | GRADE GS06 |
| 30 | MAX. NO. OF EMPLOYEES | 13 | |

31

32 SECTION 7. APPROPRIATION - DRUG COURT JUVENILE PROBATION & INTAKE
 33 OFFICERS. There is hereby appropriated, to the Administrative Office of the
 34 Courts, to be payable from the State Central Services Fund, for personal
 35 services for the Drug Court Juvenile Probation & Intake Officers and
 36 operating expenses for the Structured Assessment of Violence Risk in Youth

1 (SAVRY) Program for the fiscal year ending June 30, 2023, the following:

2

| 3 ITEM | FISCAL YEAR |
|-----------------------------------|-------------------------|
| 4 <u>NO.</u> | <u>2022-2023</u> |
| 5 (01) REGULAR SALARIES | \$518,030 |
| 6 (02) PERSONAL SERVICES MATCHING | 190,538 |
| 7 (03) SAVRY PROGRAM EXPENSES | <u>87,500</u> |
| 8 TOTAL AMOUNT APPROPRIATED | <u><u>\$796,068</u></u> |

9

10 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING
 12 ~~FROM THE ADMINISTRATION OF JUSTICE FUND FOR COURT REPORTERS AND TRIAL COURT~~
 13 ~~ADMINISTRATORS.~~

14 (a) (i) The Administrative Office of the Courts shall be responsible
 15 for requesting and verifying the need for any additional appropriation, any
 16 position change level, ~~and~~ any increase in the Administration of Justice Fund
 17 Allocation Section as authorized annually through special language in the
 18 Department of Finance and Administration’s Disbursing Act and any increases
 19 in State Central Services as appropriated in Administrative Office of the
 20 Courts - Court Personnel appropriation bill, for the Trial Court
 21 Administrators and Official Court Reporters.

22 (ii) Any annual or biennial request for an increase ~~in the~~
 23 ~~Administration of Justice Fund allocation section~~ for Trial Court
 24 Administrators and/or Official Court Reporters shall not exceed the total or
 25 projected total appropriation as authorized by the General Assembly. revenues
 26 ~~available for the Trial Court Administrator Fund or the Court Reporter’s Fund~~
 27 ~~from the Administration of Justice Fund as determined by the Administrative~~
 28 ~~Office of the Courts with assistance from the Department of Finance and~~
 29 ~~Administration.~~

30 (b) (i) During a fiscal year the Administrative Office of the Courts
 31 shall not approve any change level in salary, operating expense and other
 32 distributions for Trial Court Administrators which will exceed actual or
 33 projected ~~fund balances~~ appropriation available for in the Trial Court
 34 Administrators Fund.

35 (ii) During a fiscal year the Administrative Office of the Courts
 36 shall not approve any change level in salary, operating expense and other

1 distributions for Court Reporters which will exceed actual or projected ~~fund~~
2 ~~balances~~ appropriation available for in the Court Reporter's Fund Reporters.

3 (c) In order for the General Assembly to make an informed decision on
4 any appropriation increase request, the Administrative Office of the Courts
5 shall include with any request for an appropriation increase for Court
6 Reporters and/or Trial Court Administrators, which is over the previous
7 fiscal year total appropriation, the following information:

8 (i) A letter explaining the purpose or reason for the requested
9 appropriation increases along with a total dollar amount requested, the
10 change level or increase requested and the funding source of the increase.

11 (ii) For all Trial Court Administrators and/or Court Reporters a
12 report that includes:

13 (A) Current salaries and previous Fiscal Years salaries;

14 (B) Current years of service;

15 (C) Listing of salary increases received by an employee during
16 the current or previous fiscal year; and

17 (D) The requested increase amount of salary and match for each
18 Trial Court Administrator and/or Court Reporter.

19 (iii) A copy of the rules, policy or procedures established or
20 utilized by the Administrative Office of the Courts in conjunction with the
21 Judicial Council that are used in determining current salaries and salary
22 increases for Trial Court Administrators and/or Court Reporters."

23
24 SECTION 9. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code § 19-5-
25 205(e)(1)(B), concerning the moneys deposited into the State Central Services
26 Fund, is amended to add an additional subdivision to read as follows:

27 (xviii) Revenues from the real property transfer tax
28 distributed under § 26-60-112(b)(2)(B)(i).

29
30 SECTION 10. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code § 26-60-
31 112(b)(2)(B)(i), concerning the distribution of revenues generated by the
32 real property transfer tax, is amended to read as follows:

33
34 (B)(i) After making the distribution of the revenues as
35 provided in subdivision (b)(2)(A) of this section, the remainder available
36 each fiscal year shall be credited as ~~special revenues~~ to the State

1 ~~Administration of Justice Fund~~ State Central Services Fund to be used for
2 supplementing moneys in the ~~State Administration of Justice Fund~~ State
3 Central Services Fund for ~~court reporter~~ the salaries and expenses ~~in the~~
4 ~~event that the moneys available in the Court Reporter's Fund are inadequate~~
5 ~~during any fiscal year to make the necessary payments for salary and related~~
6 ~~expenses~~ of the various court reporters of the state.

7
8 SECTION 11. SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 16-13-
9 327(d), concerning juvenile court probation officers, is amended to read as
10 follows:

11 (d)(1)(A) The salary of the probation officer shall be paid by the
12 county or counties in which the probation officer works.

13 (B) Except as provided in subdivision (d)(3) of this
14 section, the state shall pay a portion of the salary of a full-time probation
15 officer:

16 (i) Who is certified according to the laws of this
17 state; and

18 (ii) Whose salary has been paid by the county or
19 counties for a period of one (1) year.

20 (2) The portion to be paid by the state shall be the lesser of:

21 (A) ~~Fifteen thousand dollars (\$15,000)~~ Twenty thousand
22 dollars (\$20,000) per year; or

23 (B) One-half (1/2) the probation officer's average salary
24 as calculated over the last twelve (12) months.

25 (3) For reimbursement under the requirements of this subsection,
26 the state shall reimburse a county only for salaries paid to the number of
27 probation officers that:

28 (A) Meet the requirements of subdivision (d)(1) of this
29 section; and

30 (B) Do not exceed two hundred fifty (250) positions
31 authorized by the counties for probation and intake officers, subject to
32 state funding.

33
34 SECTION 12. SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 16-13-
35 328(d), concerning juvenile court intake officers, is amended to read as
36 follows:

1 (d)(1)(A) The salary of the intake officer shall be paid by the county
2 or counties in which the intake officer works.

3 (B) Except as provided in subdivision (d)(3) of this
4 section, the state shall pay a portion of the salary of a full-time intake
5 officer:

6 (i) Who is certified according to the laws of this
7 state; and

8 (ii) Whose salary has been paid by the county or
9 counties for a period of one (1) year.

10 (2) The portion to be paid by the state shall be the lesser of:

11 (A) ~~Fifteen thousand dollars (\$15,000)~~ Twenty thousand
12 dollars (\$20,000) a year; or

13 (B) One-half ($\frac{1}{2}$) the intake officer's average salary as
14 calculated over the last twelve (12) months.

15 (3) The state shall reimburse a county only for a portion of
16 salaries paid to the number of intake officers that:

17 (A) Meet the requirements of subdivision (d)(1) of this
18 section; and

19 (B) For reimbursement under the requirements of this
20 subsection, do not exceed two hundred fifty (250) positions authorized by the
21 counties for probation and intake officers, subject to state funding.

22 (e) In order for the General Assembly to make an informed decision on
23 any appropriation increase request, the Administrative Office of the Courts
24 shall include with any request for an appropriation increase for Juvenile
25 Court Probation Officers, which is over the previous fiscal year total
26 appropriation, the following information:

27 (1) A letter explaining the purpose or reason for the requested
28 appropriation increases along with a total dollar amount requested, the
29 change level or increase requested and the funding source of the increase.

30 (2) For all Juvenile Court Probation Officers a report that includes:

31 (A) Current salaries and previous Fiscal Years salaries;

32 (B) Current years of service;

33 (C) Listing of salary increases received by an employee during
34 the current or previous fiscal year.

35
36 SECTION 13. SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 16-13-

1 331(d), concerning state reimbursement of state juvenile court personnel, is
2 amended to read as follows:

3 (d)(1) A county may determine that part-time service of a juvenile
4 officer is sufficient to meet the needs of the county.

5 (2)(A) Multiple counties in a judicial district may share the
6 cost of the salary of the juvenile officer.

7 (B) One (1) county may be designated as the county to be
8 reimbursed by the state, or each county shall designate the portion of the
9 salary that it pays for juvenile services.

10 (3)(A) A county may contract with a service provider for full-
11 time or part-time juvenile officer services, and the county shall indicate
12 the percentage of the contractor's time that is spent providing juvenile
13 officer services for the county.

14 (B) The county or the contractor shall be reimbursed for one-
15 half (1/2) of the portion of the salary that is used for such services, up to
16 ~~fifteen thousand dollars (\$15,000)~~ twenty thousand dollars (\$20,000).

17
18 SECTION 14. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
19 authorized by this act shall be limited to the appropriation for such agency
20 and funds made available by law for the support of such appropriations; and
21 the restrictions of the State Procurement Law, the General Accounting and
22 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
23 Procedures and Restrictions Act, or their successors, and other fiscal
24 control laws of this State, where applicable, and regulations promulgated by
25 the Department of Finance and Administration, as authorized by law, shall be
26 strictly complied with in disbursement of said funds.

27
28 SECTION 15. LEGISLATIVE INTENT. It is the intent of the General
29 Assembly that any funds disbursed under the authority of the appropriations
30 contained in this act shall be in compliance with the stated reasons for
31 which this act was adopted, as evidenced by the Agency Requests, Executive
32 Recommendations and Legislative Recommendations contained in the budget
33 manuals prepared by the Department of Finance and Administration, letters, or
34 summarized oral testimony in the official minutes of the Arkansas Legislative
35 Council or Joint Budget Committee which relate to its passage and adoption.

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1 SECTION 16. EFFECTIVE DATE. This act is effective on and after July 1,
2 2022.

3
4 */s/Joint Budget Committee*
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