

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

HOUSE BILL 1135

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 OFFICE OF ATTORNEY
10 GENERAL FOR THE FISCAL YEAR ENDING JUNE 30, 2024; AND
11 FOR OTHER PURPOSES.
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Subtitle

14 AN ACT FOR THE OFFICE OF ATTORNEY GENERAL
15 APPROPRIATION FOR THE 2023-2024 FISCAL
16 YEAR.
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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 - OPERATIONS. There is hereby established
23 for the Office of Attorney General for the 2023-2024 fiscal year, the
24 following maximum number of regular employees.
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2023-2024
30	(1) Q242U	SOLICITOR GENERAL	1	\$167,000
31	(2) Q066U	ATTORNEY GENERAL I	2	\$167,000
32	(3) Q065U	ATTORNEY GENERAL II	9	\$157,100
33	(4) Q124U	ATTORNEY GENERAL III	11	\$125,986
34	(5) Q067U	CHIEF INFORMATION OFFICER	1	\$115,000
35	(6) Q064U	ATTORNEY GENERAL IV	15	\$112,900
36	(7) Q363U	CHIEF OPERATING OFFICER	1	\$105,000



1	(8)	Q102U CHIEF FISCAL OFFICER	1	\$101,175
2	(9)	Q063U ATTORNEY GENERAL V	11	\$101,175
3	(10)	Q061U ATTORNEY GENERAL VI	19	\$90,670
4	(11)	Q009U COMMUNITY RELATIONS DIRECTOR	1	\$90,670
5	(12)	Q008U CHIEF INVESTIGATOR	1	\$90,670
6	(13)	Q074U INVESTIGATOR I	1	\$81,257
7	(14)	Q072U COMMUNICATIONS OFFICER	1	\$81,257
8	(15)	Q062U PUBLIC INFORMATION OFFICER	1	\$81,257
9	(16)	Q059U OMBUDSMAN	1	\$81,257
10	(17)	Q033U LOGISTICS DIRECTOR	1	\$81,257
11	(18)	Q023U NETWORK SPECIALIST I	1	\$75,054
12	(19)	Q101U HUMAN RESOURCES DIRECTOR	1	\$72,822
13	(20)	Q073U EXECUTIVE ASSISTANT	1	\$72,822
14	(21)	Q070U INVESTIGATOR II	2	\$72,822
15	(22)	Q052U LAW ED ADMINISTRATOR	1	\$72,822
16	(23)	Q034U ADMINISTRATIVE ASSISTANT I	1	\$72,822
17	(24)	Q002U LEGAL ASSISTANT	1	\$72,822
18	(25)	Q037U NETWORK SPECIALIST II	1	\$67,267
19	(26)	Q035U LIBRARIAN	1	\$67,267
20	(27)	Q058U EXECUTIVE SECRETARY	1	\$65,265
21	(28)	Q025U PARALEGAL I	2	\$65,265
22	(29)	Q006U LAW ED INSTRUCTOR I	2	\$65,265
23	(30)	Q004U ASST LOGISTICS DIRECTOR	1	\$65,265
24	(31)	Q071U ADMINISTRATIVE ASSISTANT II	3	\$58,493
25	(32)	Q057U INVESTIGATOR IV	13	\$58,493
26	(33)	Q053U SECRETARY I	7	\$58,493
27	(34)	Q032U LAW ED INSTRUCTOR II	1	\$58,493
28	(35)	Q007U FISCAL SPECIALIST II	2	\$58,493
29	(36)	Q056U SECRETARY II	14	\$52,425
30	(37)	Q047U CONSUMER COUNSELOR	4	\$52,425
31	(38)	Q036U RECEPTIONIST	2	\$46,987
32	(39)	Q005U COURIER	1	\$46,987
33	(40)	Q132U COURIER II	<u>1</u>	\$42,117
34		MAX. NO. OF EMPLOYEES	142	

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SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for

1 the Office of Attorney General for the 2023-2024 fiscal year, the following
 2 maximum number of part-time or temporary employees, to be known as "Extra
 3 Help", payable from funds appropriated herein for such purposes: eight (8)
 4 temporary or part-time employees, when needed, at rates of pay not to exceed
 5 those provided in the Uniform Classification and Compensation Act, or its
 6 successor, or this act for the appropriate classification.

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 8 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,
 9 to the Office of Attorney General, to be payable from the State Central
 10 Services Fund, for personal services and operating expenses of the Office of
 11 Attorney General for the fiscal year ending June 30, 2024, the following:

13 ITEM	FISCAL YEAR
14 <u>NO.</u>	<u>2023-2024</u>
15 (01) REGULAR SALARIES	\$12,808,660
16 (02) EXTRA HELP	111,672
17 (03) PERSONAL SERVICES MATCHING	3,940,950
18 (04) MAINT. & GEN. OPERATION	
19 (A) OPER. EXPENSE	2,142,000
20 (B) CONF. & TRAVEL	129,109
21 (C) PROF. FEES	644,215
22 (D) CAP. OUTLAY	143,500
23 (E) DATA PROC.	<u>0</u>
24 TOTAL AMOUNT APPROPRIATED	<u>\$19,920,106</u>

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 26 SECTION 4. REGULAR SALARIES - MEDICAID FRAUD DIVISION - STATE. There
 27 is hereby established for the Office of Attorney General - Medicaid Fraud
 28 Division - State for the 2023-2024 fiscal year, the following maximum number
 29 of regular employees.

31	32	33	34	Maximum Annual
Item	Class	No. of	Fiscal Year	Salary Rate
<u>No.</u>	<u>Code</u>	<u>Title</u>	<u>Employees</u>	<u>2023-2024</u>
35 (1)	Q065U	ATTORNEY GENERAL II	1	\$157,100
36 (2)	Q063U	ATTORNEY GENERAL V	2	\$101,175

1	(3) Q024U AUDITOR	1	\$90,670
2	(4) Q056U SECRETARY II	<u>1</u>	\$52,425
3	MAX. NO. OF EMPLOYEES	5	

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5 SECTION 5. APPROPRIATION - MEDICAID FRAUD DIVISION - STATE. There is
 6 hereby appropriated, to the Office of Attorney General, to be payable from
 7 the State Central Services Fund, for personal services and operating expenses
 8 of the Office of Attorney General - Medicaid Fraud Division - State for the
 9 fiscal year ending June 30, 2024, the following:

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11	ITEM	FISCAL YEAR
12	<u>NO.</u>	<u>2023-2024</u>
13	(01) REGULAR SALARIES	\$515,294
14	(02) PERSONAL SERVICES MATCHING	152,825
15	(03) MAINT. & GEN. OPERATION	
16	(A) OPER. EXPENSE	55,235
17	(B) CONF. & TRAVEL	22,100
18	(C) PROF. FEES	17,000
19	(D) CAP. OUTLAY	10,500
20	(E) DATA PROC.	<u>0</u>
21	TOTAL AMOUNT APPROPRIATED	<u><u>\$772,954</u></u>

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23 SECTION 6. REGULAR SALARIES - MEDICAID FRAUD DIVISION - FEDERAL. There
 24 is hereby established for the Office of Attorney General - Medicaid Fraud
 25 Division - Federal for the 2023-2024 fiscal year, the following maximum
 26 number of regular employees.

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28		Maximum Annual
29		Salary Rate
30	Item Class	Fiscal Year
31	<u>No. Code Title</u>	<u>2023-2024</u>
		<u>Employees</u>
32	(1) Q131U MEDICAID DIRECTOR	1 \$125,986
33	(2) Q064U ATTORNEY GENERAL IV	1 \$112,900
34	(3) Q063U ATTORNEY GENERAL V	1 \$101,175
35	(4) Q008U CHIEF INVESTIGATOR	1 \$90,670
36	(5) Q003U NURSE ANALYST	2 \$88,058

1	(6) Q074U INVESTIGATOR I	2	\$81,257
2	(7) Q130U INVESTIGATOR III	5	\$65,265
3	(8) Q046U ANALYST	1	\$65,265
4	(9) Q025U PARALEGAL I	1	\$65,265
5	(10) Q069U CASE COORDINATOR	1	\$52,425
6	(11) Q056U SECRETARY II	<u>1</u>	\$52,425
7	MAX. NO. OF EMPLOYEES	17	

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9 SECTION 7. EXTRA HELP - MEDICAID FRAUD DIVISION - FEDERAL. There is
 10 hereby authorized, for the Office of Attorney General - Medicaid Fraud
 11 Division - Federal for the 2023-2024 fiscal year, the following maximum
 12 number of part-time or temporary employees, to be known as "Extra Help",
 13 payable from funds appropriated herein for such purposes: two (2) temporary
 14 or part-time employees, when needed, at rates of pay not to exceed those
 15 provided in the Uniform Classification and Compensation Act, or its
 16 successor, or this act for the appropriate classification.

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18 SECTION 8. APPROPRIATION - MEDICAID FRAUD DIVISION - FEDERAL. There is
 19 hereby appropriated, to the Office of Attorney General, to be payable from
 20 the federal funds as designated by the Chief Fiscal Officer of the State, for
 21 personal services and operating expenses of the Office of Attorney General -
 22 Medicaid Fraud Division - Federal for the fiscal year ending June 30, 2024,
 23 the following:

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25	ITEM	FISCAL YEAR
26	<u>NO.</u>	<u>2023-2024</u>
27	(01) REGULAR SALARIES	\$1,372,582
28	(02) EXTRA HELP	37,224
29	(03) PERSONAL SERVICES MATCHING	438,196
30	(04) MAINT. & GEN. OPERATION	
31	(A) OPER. EXPENSE	318,275
32	(B) CONF. & TRAVEL	66,300
33	(C) PROF. FEES	418,469
34	(D) CAP. OUTLAY	31,500
35	(E) DATA PROC.	<u>0</u>
36	TOTAL AMOUNT APPROPRIATED	<u>\$2,682,546</u>

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SECTION 9. APPROPRIATION - MEDICAID FRAUD DIVISION - INDIRECT COSTS.
 There is hereby appropriated, to the Office of Attorney General, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for operating expenses of the Office of Attorney General - Medicaid Fraud Division - Indirect Costs for the fiscal year ending June 30, 2024, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2023-2024</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$395,000
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$395,000</u></u>

SECTION 10. APPROPRIATION - INTERNET CRIME CHILD. There is hereby appropriated, to the Office of Attorney General, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for operating expenses of the Office of Attorney General - Internet Crime Child for the fiscal year ending June 30, 2024, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2023-2024</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$25,000
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$25,000</u></u>

SECTION 11. REGULAR SALARIES - COOPERATIVE DISABILITY INVESTIGATION PROGRAM. There is hereby established for the Office of Attorney General -

1 Cooperative Disability Investigation Program for the 2023-2024 fiscal year,
 2 the following maximum number of regular employees.

Item	Class	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2023-2024
8	(1) Q074U INVESTIGATOR I	2	\$81,257
9	(2) Q046U ANALYST	<u>1</u>	\$65,265
10	MAX. NO. OF EMPLOYEES	3	

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 12 SECTION 12. APPROPRIATION - COOPERATIVE DISABILITY INVESTIGATION
 13 PROGRAM. There is hereby appropriated, to the Office of Attorney General, to
 14 be payable from the federal funds as designated by the Chief Fiscal Officer
 15 of the State, for personal services and operating expenses of the Office of
 16 Attorney General - Cooperative Disability Investigation Program for the
 17 fiscal year ending June 30, 2024, the following:

ITEM NO.	FISCAL YEAR 2023-2024
21 (01) REGULAR SALARIES	\$233,134
22 (02) PERSONAL SERVICES MATCHING	84,430
23 (03) OVERTIME	42,000
24 (04) MAINT. & GEN. OPERATION	
25 (A) OPER. EXPENSE	55,000
26 (B) CONF. & TRAVEL	5,000
27 (C) PROF. FEES	0
28 (D) CAP. OUTLAY	0
29 (E) DATA PROC.	<u>0</u>
30 TOTAL AMOUNT APPROPRIATED	<u><u>\$419,564</u></u>

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 32 SECTION 13. APPROPRIATION - CASH FUNDS - SETTLEMENT FEES. There is
 33 hereby appropriated, to the Office of Attorney General, to be payable from
 34 the cash funds as defined by Arkansas Code 19-4-801, for personal services,
 35 miscellaneous operating expenses, grants, fund transfers, court ordered
 36 payments, consumer education and enforcement activities of the Office of

1 Attorney General for the fiscal year ending June 30, 2024, the sum
2 of..... \$25,000,000.

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4 SECTION 14. APPROPRIATION - CASH FUNDS - SETTLEMENT FEES AND
5 RESTITUTION. There is hereby appropriated, to the Office of Attorney General,
6 to be payable from the cash funds as defined by Arkansas Code 19-4-801, for
7 personal services, miscellaneous operating expenses, grants, fund transfers,
8 and restitution payments and expenses of the Office of Attorney General for
9 the fiscal year ending June 30, 2024, the sum of..... \$31,000.

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11 SECTION 15. SPECIAL LANGUAGE. CODE AMENDMENT. Arkansas Code § 25-16-
12 716 is amended to codify special language in appropriation acts to read as
13 follows:

14 ~~25-16-716. Fee reimbursement~~ Attorney Fees.

15 (a)(1) The Office of the Attorney General may charge a fee to a
16 governmental unit to reimburse the ~~office~~ Office of the Attorney General for
17 an expenditure made on behalf of a governmental unit.

18 ~~(b)(2)~~ A fee under subsection (a) of this section shall be deposited
19 by the ~~office~~ Office of the Attorney General into the State Central Services
20 Fund as a refund to an expenditure.

21 (b) All monies and funds received by the Office of the Attorney
22 General as attorney fees shall be deposited into the State Central Services
23 Fund as direct revenues of the Office of the Attorney General.

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25 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

27 TRANSFER PROVISION. After receiving approval from the Chief Fiscal Officer
28 of the State, and prior review by the Arkansas Legislative Council or Joint
29 Budget Committee, the Office of Attorney General is authorized to transfer
30 appropriation from any line item authorized in the Operations Appropriation
31 of the Office of Attorney General in this Act to any other line item
32 authorized in the Operations Appropriation.

33 The provisions of this section shall be in effect only from July 1, ~~2022~~
34 2023 through June 30, ~~2023~~ 2024.

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36 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

2 FUND TRANSFER. Immediately upon the effective date of this act, the Attorney
3 General may deposit or transfer by check monies from the unobligated cash
4 funds of the Office of Attorney General received from court orders or
5 settlement agreements to the State Central Services Fund.

6 The provisions of this section shall be in effect only from July 1, ~~2022~~
7 2023 through June 30, ~~2023~~ 2024.

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

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

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28 SECTION 20. EMERGENCY CLAUSE. It is found and determined by the
29 General Assembly, that the Constitution of the State of Arkansas prohibits
30 the appropriation of funds for more than a one (1) year period; that the
31 effectiveness of this Act on July 1, 2023 is essential to the operation of
32 the agency for which the appropriations in this Act are provided, and that in
33 the event of an extension of the legislative session, the delay in the
34 effective date of this Act beyond July 1, 2023 could work irreparable harm
35 upon the proper administration and provision of essential governmental
36 programs. Therefore, an emergency is hereby declared to exist and this Act

being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2023.

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