

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

As Engrossed: H4/3/23

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.
12
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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	\$181,500
31	(2) Q426U	CHIEF DEPUTY ATTORNEY GENERAL	1	\$181,500
32	(3) Q427U	DEPUTY ATTORNEY GENERAL	11	\$167,000
33	(4) Q428U	SENIOR ASSISTANT ATTORNEY GENERAL I	11	\$140,592
34	(5) Q434U	SENIOR ASSISTANT ATTORNEY GENERAL II	17	\$125,986
35	(6) Q429U	SENIOR MANAGEMENT ASSISTANT	6	\$115,000
36	(7) Q430U	ASSISTANT ATTORNEY GENERAL I	11	\$112,900



1	(8) Q431U ASSISTANT ATTORNEY GENERAL II	20	\$95,000
2	(9) Q432U MANAGEMENT ASSISTANT	6	\$90,670
3	(10) Q074U INVESTIGATOR I	1	\$90,670
4	(11) Q433U SENIOR ADMINISTRATIVE ASSISTANT	13	\$75,000
5	(12) Q070U INVESTIGATOR II	2	\$75,000
6	(13) Q034U ADMINISTRATIVE ASSISTANT I	13	\$62,500
7	(14) Q130U INVESTIGATOR III	13	\$62,500
8	(15) Q071U ADMINISTRATIVE ASSISTANT II	<u>22</u>	\$55,000
9	MAX NO OF EMPLOYEES	148	

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11 SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated,
 12 to the Office of Attorney General, to be payable from the State Central
 13 Services Fund, for personal services and operating expenses of the Office of
 14 Attorney General for the fiscal year ending June 30, 2024, the following:

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16	ITEM	FISCAL YEAR
17	<u>NO.</u>	<u>2023-2024</u>
18	(01) REGULAR SALARIES	\$14,376,464
19	(02) EXTRA HELP	0
20	(03) PERSONAL SERVICES MATCHING	4,366,034
21	(04) MAINT. & GEN. OPERATION	
22	(A) OPER. EXPENSE	250,000
23	(B) CONF. & TRAVEL	25,000
24	(C) PROF. FEES	50,000
25	(D) CAP. OUTLAY	25,000
26	(E) DATA PROC.	<u>0</u>
27	TOTAL AMOUNT APPROPRIATED	<u><u>\$19,092,498</u></u>

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29 SECTION 3. REGULAR SALARIES - MEDICAID FRAUD DIVISION - STATE. There
 30 is hereby established for the Office of Attorney General - Medicaid Fraud
 31 Division - State for the 2023-2024 fiscal year, the following maximum number
 32 of regular employees.

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34		Maximum Annual
35		Salary Rate
36	Item Class	Maximum No. of Fiscal Year

No.	Code	Title	Employees	2023-2024
(1)	Q427U	DEPUTY ATTORNEY GENERAL	1	\$167,000
(2)	Q429U	SENIOR MANAGEMENT ASSISTANT	1	\$115,000
(3)	Q430U	ASSISTANT ATTORNEY GENERAL I	2	\$112,900
(4)	Q432U	MANAGEMENT ASSISTANT	1	\$90,670
(5)	Q071U	ADMINISTRATIVE ASSISTANT II	<u>1</u>	\$55,000
		MAX NO. OF EMPLOYEES	6	

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9 SECTION 4. APPROPRIATION - MEDICAID FRAUD DIVISION - STATE. There is
 10 hereby appropriated, to the Office of Attorney General, to be payable from
 11 the State Central Services Fund, for personal services and operating expenses
 12 of the Office of Attorney General - Medicaid Fraud Division - State for the
 13 fiscal year ending June 30, 2024, the following:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2023-2024</u>
(01) REGULAR SALARIES	\$656,046
(02) PERSONAL SERVICES MATCHING	193,534
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	56,235
(B) CONF. & TRAVEL	27,100
(C) PROF. FEES	17,000
(D) CAP. OUTLAY	10,500
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$960,415</u>

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27 SECTION 5. REGULAR SALARIES - MEDICAID FRAUD DIVISION - FEDERAL. There
 28 is hereby established for the Office of Attorney General - Medicaid Fraud
 29 Division - Federal for the 2023-2024 fiscal year, the following maximum
 30 number of regular employees.

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Item	Class	Maximum	Maximum Annual
No.	Code	No. of	Salary Rate
<u>No.</u>	<u>Code</u>	<u>Title</u>	<u>Fiscal Year</u>
		<u>Employees</u>	<u>2023-2024</u>
(1)	Q428U	SENIOR ASSISTANT ATTORNEY GENERAL I	1 \$140,592

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1	(2) Q434U	SENIOR ASSISTANT ATTORNEY GENERAL II	1	\$125,986
2	(3) Q429U	SENIOR MANAGEMENT ASSISTANT	1	\$115,000
3	(4) Q430U	ASSISTANT ATTORNEY GENERAL I	3	\$112,900
4	(5) Q431U	ASSISTANT ATTORNEY GENERAL II	1	\$95,000
5	(6) Q432U	MANAGEMENT ASSISTANT	1	\$90,670
6	(7) Q074U	INVESTIGATOR I	2	\$90,670
7	(8) Q433U	SENIOR ADMINISTRATIVE ASSISTANT	3	\$75,000
8	(9) Q070U	INVESTIGATOR II	5	\$75,000
9	(10) Q071U	ADMINISTRATIVE ASSISTANT II	<u>1</u>	\$55,000
10		MAX NO. OF EMPLOYEES	19	

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12 SECTION 6. EXTRA HELP - MEDICAID FRAUD DIVISION - FEDERAL. There is
 13 hereby authorized, for the Office of Attorney General - Medicaid Fraud
 14 Division - Federal for the 2023-2024 fiscal year, the following maximum
 15 number of part-time or temporary employees, to be known as "Extra Help",
 16 payable from funds appropriated herein for such purposes: two (2) temporary
 17 or part-time employees, when needed, at rates of pay not to exceed those
 18 provided in the Uniform Classification and Compensation Act, or its
 19 successor, or this act for the appropriate classification.

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21 SECTION 7. APPROPRIATION - MEDICAID FRAUD DIVISION - FEDERAL. There is
 22 hereby appropriated, to the Office of Attorney General, to be payable from
 23 the federal funds as designated by the Chief Fiscal Officer of the State, for
 24 personal services and operating expenses of the Office of Attorney General -
 25 Medicaid Fraud Division - Federal for the fiscal year ending June 30, 2024,
 26 the following:

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28	ITEM	FISCAL YEAR
29	<u>NO.</u>	<u>2023-2024</u>
30	(01) REGULAR SALARIES	\$1,749,151
31	(02) EXTRA HELP	30,000
32	(03) PERSONAL SERVICES MATCHING	536,102
33	(04) MAINT. & GEN. OPERATION	
34	(A) OPER. EXPENSE	321,275
35	(B) CONF. & TRAVEL	81,300
36	(C) PROF. FEES	418,469

1	(D) CAP. OUTLAY	31,500
2	(E) DATA PROC.	<u>0</u>
3	TOTAL AMOUNT APPROPRIATED	<u><u>\$3,167,797</u></u>

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5 SECTION 8. APPROPRIATION - MEDICAID FRAUD DIVISION - INDIRECT COSTS.

6 There is hereby appropriated, to the Office of Attorney General, to be
 7 payable from the federal funds as designated by the Chief Fiscal Officer of
 8 the State, for operating expenses of the Office of Attorney General -
 9 Medicaid Fraud Division - Indirect Costs for the fiscal year ending June 30,
 10 2024, the following:

11	ITEM	FISCAL YEAR
12	NO.	2023-2024
14	(01) MAINT. & GEN. OPERATION	
15	(A) OPER. EXPENSE	\$498,461
16	(B) CONF. & TRAVEL	0
17	(C) PROF. FEES	0
18	(D) CAP. OUTLAY	0
19	(E) DATA PROC.	<u>0</u>
20	TOTAL AMOUNT APPROPRIATED	<u><u>\$498,461</u></u>

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22 SECTION 9. APPROPRIATION - *INTERNET CRIMES AGAINST CHILDREN*. There is
 23 hereby appropriated, to the Office of Attorney General, to be payable from
 24 the federal funds as designated by the Chief Fiscal Officer of the State, for
 25 operating expenses of the Office of Attorney General - *Internet Crimes*
 26 *Against Children* for the fiscal year ending June 30, 2024, the following:

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

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 2 SECTION 10. REGULAR SALARIES - COOPERATIVE DISABILITY INVESTIGATION
 3 PROGRAM. There is hereby established for the Office of Attorney General -
 4 Cooperative Disability Investigation Program for the 2023-2024 fiscal year,
 5 the following maximum number of regular employees.

Item	Class	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2023-2024
(1)	Q074U INVESTIGATOR I	2	\$90,670
(2)	Q433U SENIOR ADMINISTRATIVE ASSISTANT	1	\$75,000
	MAX. NO. OF EMPLOYEES	3	

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 15 SECTION 11. APPROPRIATION - COOPERATIVE DISABILITY INVESTIGATION
 16 PROGRAM. There is hereby appropriated, to the Office of Attorney General, to
 17 be payable from the federal funds as designated by the Chief Fiscal Officer
 18 of the State, for personal services and operating expenses of the Office of
 19 Attorney General - Cooperative Disability Investigation Program for the
 20 fiscal year ending June 30, 2024, the following:

ITEM NO.	FISCAL YEAR 2023-2024
(01) REGULAR SALARIES	\$256,340
(02) PERSONAL SERVICES MATCHING	90,994
(03) OVERTIME	42,000
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	55,000
(B) CONF. & TRAVEL	5,000
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
TOTAL AMOUNT APPROPRIATED	<u>\$449,334</u>

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 35 SECTION 12. APPROPRIATION - CASH FUNDS - UNRESTRICTED SETTLEMENT FEES.
 36 There is hereby appropriated, to the Office of Attorney General, to be

1 payable from the cash funds as defined by Arkansas Code 19-4-801, for
 2 personal services, miscellaneous operating expenses, grants, court ordered
 3 payments, consumer education and enforcement *activities from unrestricted*
 4 *settlement fees* of the Office of Attorney General for the fiscal year ending
 5 June 30, 2024, the sum
 6 of.....\$15,000,000.

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 8 SECTION 13. APPROPRIATION - CASH FUNDS - SETTLEMENT FEES AND
 9 RESTITUTION. There is hereby appropriated, to the Office of Attorney General,
 10 to be payable from the cash funds as defined by Arkansas Code 19-4-801, for
 11 personal services, miscellaneous operating expenses, grants, fund transfers,
 12 and restitution payments and expenses of the Office of Attorney General for
 13 the fiscal year ending June 30, 2024, the sum of..... \$31,000.

14
 15 SECTION 14. SPECIAL LANGUAGE. CODE AMENDMENT. Arkansas Code § 25-16-
 16 716 is amended to codify special language in appropriation acts to read as
 17 follows:

18 25-16-716. ~~Fee reimbursement~~ Attorney Fees.

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

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

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

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 29 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

1 The provisions of this section shall be in effect only from July 1, ~~2022~~
2 2023 through June 30, ~~2023~~ 2024.

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4 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
6 FUND TRANSFER. Immediately upon the effective date of this act, the Attorney
7 General may deposit or transfer by check monies from the unobligated cash
8 funds of the Office of Attorney General received from court orders or
9 settlement agreements to the State Central Services Fund.

10 The provisions of this section shall be in effect only from July 1, ~~2022~~
11 2023 through June 30, ~~2023~~ 2024.

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

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

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32 SECTION 19. EMERGENCY CLAUSE. It is found and determined by the
33 General Assembly, that the Constitution of the State of Arkansas prohibits
34 the appropriation of funds for more than a one (1) year period; that the
35 effectiveness of this Act on July 1, 2023 is essential to the operation of
36 the agency for which the appropriations in this Act are provided, and that in

1 the event of an extension of the legislative session, the delay in the
2 effective date of this Act beyond July 1, 2023 could work irreparable harm
3 upon the proper administration and provision of essential governmental
4 programs. Therefore, an emergency is hereby declared to exist and this Act
5 being necessary for the immediate preservation of the public peace, health
6 and safety shall be in full force and effect from and after July 1, 2023.

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8 */s/Joint Budget Committee*
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