

1 State of Arkansas
2 94th General Assembly
3 Fiscal Session, 2024

A Bill

SENATE BILL 26

4
5 By: Joint Budget Committee

For An Act To Be Entitled

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7
8 AN ACT TO MAKE AN APPROPRIATION WHICH SHALL BE
9 SUPPLEMENTAL AND IN ADDITION TO OTHER APPROPRIATIONS
10 MADE BY THE NINETY-FOURTH GENERAL ASSEMBLY TO PAY
11 APPROVED CLAIMS; AND FOR OTHER PURPOSES.

Subtitle

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13
14 AN ACT TO MAKE AN APPROPRIATION FOR THE
15 PAYMENT OF APPROVED CLAIMS.

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

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21 SECTION 1. APPROPRIATION. There is hereby appropriated, to the
22 Department of Finance and Administration - Revenue Services Division, to be
23 payable from the Miscellaneous Revolving Fund, for the purpose of paying
24 claims against the State of Arkansas to the payees set out herein:

ITEM	FISCAL YEAR
NO.	2023-2024
(1) VERIZON WIRELESS NETWORK	\$19,091.00
(2) ROBERT BOSCH TOOL CORPORATION	<u>26,354.82</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$45,445.82</u></u>

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32 SECTION 2. APPROPRIATION. There is hereby appropriated, to the
33 Department of Finance and Administration - Revenue Services Division, to be
34 payable from the Corporate Income Tax Withholding Fund, for the purpose of
35 paying claims against the State of Arkansas to the payee set out herein:
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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2023-2024</u>
(1) MORGAN STANLEY SMITH BARNEY HOLDINGS LLC	<u>\$87,001.64</u>

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5 SECTION 3. APPROPRIATION. There is hereby appropriated, to the
 6 Department of Finance and Administration - Revenue Services Division, to be
 7 payable from the Individual Income Tax Withholding Fund, for the purpose of
 8 paying claims against the State of Arkansas to the payee set out herein:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2023-2024</u>
(1) JONATHAN AND KRISTEN KENNON	<u>\$15,534.04</u>

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14 SECTION 4. APPROPRIATION. There is hereby appropriated, to the
 15 Department of Human Services - Division of Developmental Disabilities
 16 Services, to be payable from the paying account as determined by the Chief
 17 Fiscal Officer of the State, for the purpose of paying claims against the
 18 State of Arkansas to the payee set out herein:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2023-2024</u>
(1) CENTERS FOR YOUTH AND FAMILIES	<u>\$73,224.00</u>

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24 SECTION 5. APPROPRIATION. There is hereby appropriated, to the
 25 Department of Commerce - State Insurance Department, to be payable from the
 26 Miscellaneous Revolving Fund, for the purpose of paying claims against the
 27 State of Arkansas to the payee set out herein:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2023-2024</u>
(1) ARKANSAS HEALTH AND WELLNESS HEALTH	<u>\$26,000.00</u>

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33 SECTION 6. APPROPRIATION. There is hereby appropriated, to the
 34 Department of Transformation and Shared Services - Division of Information
 35 Systems, to be payable from the Division of Information Systems Revolving
 36 Fund, for the purpose of paying claims against the State of Arkansas to the

1 payee set out herein:

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3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2023-2024</u>
5 (1) WINDSTREAM HOLDINGS, INC.	<u>\$15,233.47</u>

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7 SECTION 7. APPROPRIATION. There is hereby appropriated, to the
 8 Arkansas Department of Transportation, to be payable from the State Highway
 9 and Transportation Department Fund, for the purpose of paying claims against
 10 the State of Arkansas to the payee set out herein:

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12 ITEM	FISCAL YEAR
13 <u>NO.</u>	<u>2023-2024</u>
14 (1) WEST PLAINS BRIDGE AND GRADING, FOR THE USE 15 AND BENEFIT OF HAYES DRILLING, INC.	<u>\$562,893.28</u>

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17 SECTION 8. APPROPRIATION. There is hereby appropriated, to the
 18 University of Arkansas for Medical Sciences, to be payable from the
 19 University of Arkansas Medical Center Fund, for the purpose of paying claims
 20 against the State of Arkansas to the payees set out herein:

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22 ITEM	FISCAL YEAR
23 <u>NO.</u>	<u>2023-2024</u>
24 (1) ANGELA LLOYD	\$34,845.05
25 (2) BENJAMIN SIGEL	16,154.40
26 (3) RAUL R. DAS	15,021.21
27 (4) HANNA HENSON WILLIAMS	<u>73,106.89</u>
28 TOTAL AMOUNT APPROPRIATED	<u>\$139,127.55</u>

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30 SECTION 9. APPROPRIATION. There is hereby appropriated, to the
 31 Department of Public Safety - Division of Arkansas State Police, to be
 32 payable from the Division of Arkansas State Police Fund, for the purpose of
 33 paying claims against the State of Arkansas to the payees set out herein:

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35 ITEM	FISCAL YEAR
36 <u>NO.</u>	<u>2023-2024</u>

1	(1)	LAVON TISHETTE PERRY, AS THE PERSONAL	
2		REPRESENTATIVE OF THE ESTATE OF TAVON JENKINS	\$1,200,000.00
3	(2)	LORI BRAUN, AS THE ADMINISTRATRIX OF	
4		THE ESTATE OF CASSANDRA BRAUN	1,800,000.00
5	(3)	LAJESSICA MAYO-CRENSHAW	<u>30,000.00</u>
6		TOTAL AMOUNT APPROPRIATED	<u>\$3,030,000.00</u>

7
 8 SECTION 10. APPROPRIATION. There is hereby appropriated, to the Office
 9 of the Treasurer of State, to be payable from the Municipal Aid Fund, for the
 10 purpose of paying claims against the State of Arkansas to the payee set out
 11 herein:

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13	ITEM		FISCAL YEAR
14	<u>NO.</u>		<u>2023-2024</u>
15	(1)	CITY OF CONWAY	<u>\$383.40</u>

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 17 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE
 18 ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 19 REIMBURSEMENT AND REFUND TO EXPENDITURE. Funds allocated and expended by any
 20 Agency, Authority, Board, Commission, Council, Department, Division, Office,
 21 or Subdivision of any state agency for the payment of approved claims
 22 adjudicated through the State Claims Commission and approved by the Arkansas
 23 Legislative Council or Joint Budget Committee when the General Assembly is in
 24 session, shall be reimbursed from the funds from which the Agency, Authority,
 25 Board, Commission, Council, Department, Division, Office, or Subdivision
 26 draws its support.

27 The monies shall be deposited no later than June 30 of the following
 28 fiscal year from which the original payment of claim expense was incurred by
 29 the state agency, as a refund to expenditure, to the credit of the fund from
 30 which the original expenditure was made.

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 32 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRYOVER
 34 OF CLAIMS. Any state agency which is affected by the allowed claim(s)
 35 provided for in this Act, and whose fund for the ~~2022-2023~~ 2023-2024 fiscal
 36 year are insufficient to allow for the payment of said claim(s) before June

1 30, ~~2023~~ 2024, is hereby authorized, upon certification by the Chief Fiscal
2 Officer of the State, to make payment of said claim(s) after July 1, ~~2023~~
3 2024, from funds appropriated for the ~~2023-2024~~ 2024-2025 fiscal year.
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5 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
7 DISBURSING OFFICER. The Clerk of the State Claims Commission is hereby made
8 the disbursing officer for the purpose of paying the claims appropriated by
9 this Act. The Clerk of the State Claims Commission is hereby authorized to
10 receive all warrants prepared under the provisions of this Act from the
11 Auditor of State and to distribute same to the claimants.
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13 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
15 DEPARTMENT OF HUMAN SERVICES CLAIMS. For any claims in this Act appropriated
16 to the Department of Human Services, the Clerk of the State Claims Commission
17 shall consult with the Department of Human Services and the Chief Fiscal
18 Officer of the State to determine the division and funds to which liability
19 should be assigned and from which the warrants shall be drawn. The Clerk of
20 the State Claims Commission shall initiate the appropriate transfers as may
21 be required and as approved by the Chief Fiscal Officer of the State.
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23 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
25 DEPARTMENT OF HEALTH CLAIMS. For any claims in this Act appropriated to the
26 Department of Health, the Clerk of the State Claims Commission shall consult
27 with the Department of Health and the Chief Fiscal Officer of the State to
28 determine the division and funds to which liability should be assigned and
29 from which the warrants shall be drawn. The Clerk of the State Claims
30 Commission shall initiate the appropriate transfers as may be required and as
31 approved by the Chief Fiscal Officer of the State.
32

33 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CLAIMS
35 FROM CASH FUNDS. In the event that any claim authorized herein is determined
36 to be a valid claim against the State and the claim is to be paid from funds

1 not in the State Treasury, the Clerk of the State Claims Commission shall
2 notify the agency against which the claim is to be charged of the amount of
3 such claims. Upon receipt of such notification, the state agency shall
4 forth-with deliver a check to the Clerk of the State Claims Commission who
5 shall deposit the same as a nonrevenue receipt into the Miscellaneous
6 Revolving Fund from which he shall disburse the amount of the claim to the
7 claimant.

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9 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

11 EMPLOYMENT COMPENSATION CLAIMS. The Clerk of the State Claims Commission
12 shall not distribute any warrants prepared under the provisions of this Act
13 for awards made by the Arkansas State Claims Commission for employment
14 compensation claims. Upon the award by the State Claims Commission of an
15 employment compensation claim, the Clerk of the State Claims Commission shall
16 notify the affected state agency and the Department of Finance and
17 Administration - Office of Personnel Management of such amounts that are due
18 and payable. The affected state agency shall then process the award through
19 the State Mechanized Payroll System.

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

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31 SECTION 19. LEGISLATIVE INTENT. It is the intent of the General
32 Assembly that any funds disbursed under the authority of the appropriations
33 contained in this act shall be in compliance with the stated reasons for
34 which this act was adopted, as evidenced by the Agency Requests, Executive
35 Recommendations and Legislative Recommendations contained in the budget
36 manuals prepared by the Department of Finance and Administration, letters, or

1 summarized oral testimony in the official minutes of the Arkansas Legislative
2 Council or Joint Budget Committee which relate to its passage and adoption.

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4 SECTION 20. EMERGENCY CLAUSE. It is found and determined by the
5 General Assembly, that payees listed in this Act may be entitled to the sums
6 appropriated and transferred to herein, and that they have been deprived of
7 the use of these funds for a long period of time, and that further delay in
8 paying these just debts of the state would do harm to the reputation of the
9 State of Arkansas. Therefore, an emergency is hereby declared to exist and
10 this Act being necessary for the immediate preservation of the public peace,
11 health and safety shall be in full force and effect from and after the date
12 of its passage and approval.

13 If the bill is neither approved nor vetoed by the Governor, it shall become
14 effective on the expiration of the period of time during which the Governor
15 may veto the bill. If the bill is vetoed by the Governor and the veto is
16 overridden, it shall become effective on the date the last house overrides
17 the veto.