

1 State of Arkansas  
2 94th General Assembly  
3 Fiscal Session, 2024  
4

As Engrossed: S4/23/24

# A Bill

SENATE BILL 45

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 DEPARTMENT OF HUMAN  
10 SERVICES - DIVISION OF YOUTH SERVICES FOR THE FISCAL  
11 YEAR ENDING JUNE 30, 2025; AND FOR OTHER PURPOSES.  
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13

### Subtitle

14 AN ACT FOR THE DEPARTMENT OF HUMAN  
15 SERVICES - DIVISION OF YOUTH SERVICES  
16 APPROPRIATION FOR THE 2024-2025 FISCAL  
17 YEAR.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established  
24 for the Department of Human Services - Division of Youth Services for the  
25 2024-2025 fiscal year, the following maximum number of regular employees.  
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Item	Class	No. of	Maximum Annual
			Salary Rate
No.	Code	Title	Fiscal Year
			2024-2025
31	(1)	N249N DHS DIVISION DIRECTOR	1 GRADE SE02
32	(2)	L001C PSYCHOLOGIST SUPERVISOR	1 GRADE MP04
33	(3)	L038C REGISTERED NURSE	2 GRADE MP01
34	<del>(4)</del>	<del>N080N DHS/DMS ASSISTANT DIRECTOR - FISCAL</del>	<del>1 GRADE GS14</del>
35	(5)	G004C MANAGING ATTORNEY	1 GRADE GS13
36	(5.1)	N111N DHS ASST DEP DIR FOR MGR ACCOUNTING	1 GRADE GS13



1	(6)	N156N BEHAV HLTH ASST DIR CHILDRENS SVS	1	GRADE GS12
2	(7)	G027N DHS RESEARCH ANALYSIS MANAGER	1	GRADE GS11
3	(8)	G255C DYS ACADEMIC ADMINISTRATOR	1	GRADE GS11
4	(9)	G099C DHS PROGRAM ADMINISTRATOR	6	GRADE GS09
5	(10)	E015C SPECIAL EDUCATION SUPERVISOR	1	GRADE GS09
6	(11)	M008C YOUTH PROGRAM DIRECTOR	1	GRADE GS09
7	(12)	G152C DHS PROGRAM MANAGER	11	GRADE GS08
8	(13)	X062C QUALITY ASSURANCE COORDINATOR	2	GRADE GS08
9	(14)	M012C YOUTH PROGRAM MANAGER	2	GRADE GS08
10	(15)	E035C CERTIFIED MASTERS TEACHER	2	GRADE GS08
11	(16)	G183C DHS PROGRAM COORDINATOR	5	GRADE GS07
12	(17)	G082C DHS/DYS ADMISSIONS EVALUATOR	1	GRADE GS07
13	(18)	E048C EDUCATION & INSTRUCTION SPECIALIST	5	GRADE GS07
14	(19)	E040C STAFF DEVELOPMENT COORDINATOR	3	GRADE GS07
15	(20)	C037C ADMINISTRATIVE ANALYST	2	GRADE GS06
16	(21)	E044C CERTIFIED BACHELORS TEACHER	5	GRADE GS06
17	(22)	G210C DHS PROGRAM SPECIALIST	12	GRADE GS06
18	<del>(23)</del>	<del>A074C FISCAL SUPPORT SUPERVISOR</del>	<del>1</del>	<del>GRADE GS06</del>
19	(24)	G180C GRANTS ANALYST	1	GRADE GS06
20	(25)	G214C GRANTS SPECIALIST	1	GRADE GS06
21	(26)	G166C MILITARY PROGRAM COORDINATOR	3	GRADE GS06
22	(27)	B076C RESEARCH PROJECT ANALYST	1	GRADE GS06
23	(28)	M047C YOUTH SERVICES ADVISOR	10	GRADE GS06
24	(29)	M060C YOUTH PROGRAM COORDINATOR	10	GRADE GS05
25	(30)	C056C ADMINISTRATIVE SPECIALIST III	4	GRADE GS04
26	(31)	V020C INVENTORY CONTROL MANAGER	1	GRADE GS04
27	(32)	T072C SECURITY OFFICER SUPERVISOR	1	GRADE GS04
28	(33)	T084C PUBLIC SAFETY SECURITY OFFICER	14	GRADE GS03
29	(34)	M070C YOUTH PROGRAM SPECIALIST	<u>9</u>	GRADE GS03
30		MAX. NO. OF EMPLOYEES	122	

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32 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for  
 33 the Department of Human Services - Division of Youth Services for the 2024-  
 34 2025 fiscal year, the following maximum number of part-time or temporary  
 35 employees, to be known as "Extra Help", payable from funds appropriated  
 36 herein for such purposes: thirty-six (36) temporary or part-time employees,

1 when needed, at rates of pay not to exceed those provided in the Uniform  
2 Classification and Compensation Act, or its successor, or this act for the  
3 appropriate classification.

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5 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,  
6 to the Department of Human Services, to be payable from the paying account as  
7 determined by the Chief Fiscal Officer of the State, for personal services  
8 and operating expenses of the Department of Human Services - Division of  
9 Youth Services for the fiscal year ending June 30, 2025, the following:

11 ITEM	FISCAL YEAR
12 <u>NO.</u>	<u>2024-2025</u>
13 (01) REGULAR SALARIES	\$6,045,268
14 (02) EXTRA HELP	41,903
15 (03) PERSONAL SERVICES MATCHING	2,331,285
16 (04) OVERTIME	8,699
17 (05) MAINT. & GEN. OPERATION	
18 (A) OPER. EXPENSE	5,612,099
19 (B) CONF. & TRAVEL	91,144
20 (C) PROF. FEES	359,050
21 (D) CAP. OUTLAY	105,000
22 (E) DATA PROC.	<u>0</u>
23 TOTAL AMOUNT APPROPRIATED	<u>\$14,594,448</u>

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25 SECTION 4. APPROPRIATION - COMMUNITY BASED SANCTIONS. There is hereby  
26 appropriated, to the Department of Human Services - Division of Youth  
27 Services, to be payable from the Youth Services Fund Account, for grants and  
28 aid for graduated community based sanctions for juveniles adjudicated  
29 delinquent for the fiscal year ending June 30, 2025, the following:

31 ITEM	FISCAL YEAR
32 <u>NO.</u>	<u>2024-2025</u>
33 (01) COMMUNITY BASED SANCTIONS	<u>\$2,480,444</u>

34  
35 SECTION 5. APPROPRIATION - COMMUNITY SERVICES. There is hereby  
36 appropriated, to the Department of Human Services, to be payable from the

1 Youth Services Fund Account, for purchase of services from community based  
2 providers by the Department of Human Services - Division of Youth Services  
3 for the fiscal year ending June 30, 2025, the following:

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5	ITEM	FISCAL YEAR
6	<u>NO.</u>	<u>2024-2025</u>
7	(01) COMMUNITY SERVICES	<u>\$18,821,100</u>

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9 SECTION 6. APPROPRIATION - FEDERAL CHILD AND YOUTH SERVICE GRANTS.

10 There is hereby appropriated, to the Department of Human Services, to be  
11 payable from the federal funds as designated by the Chief Fiscal Officer of  
12 the State, for federally funded grants of the Department of Human Services -  
13 Division of Youth Services for the fiscal year ending June 30, 2025, the  
14 following:

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16	ITEM	FISCAL YEAR
17	<u>NO.</u>	<u>2024-2025</u>
18	(01) FEDERAL CHILD AND YOUTH SERVICE GRANTS	<u>\$12,832,942</u>

19  
20 SECTION 7. APPROPRIATION - RESIDENTIAL SERVICES. There is hereby  
21 appropriated, to the Department of Human Services, to be payable from the  
22 Youth Services Fund Account, for the purchase and operation of residential  
23 services by the Department of Human Services - Division of Youth Services for  
24 the fiscal year ending June 30, 2025, the following:

25		
26	ITEM	FISCAL YEAR
27	<u>NO.</u>	<u>2024-2025</u>
28	(01) RESIDENTIAL SERVICES	<u>\$34,616,356</u>

29  
30 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
32 OF FUNDS FOR THE JUVENILE OMBUDSMAN PROGRAM. The Department of Human  
33 Services shall provide funding in an amount not to exceed \$240,000 for the  
34 fiscal year ending June 30, ~~2024~~ 2025 for the Juvenile Ombudsman Program  
35 described in ACA 16-87-216. Upon request by the Executive Director of the  
36 Arkansas Public Defender Commission, the Chief Fiscal Officer of the State

1 shall transfer an amount not to exceed \$240,000 for the fiscal year ending  
2 June 30, ~~2024~~ 2025 from an account designated by the Secretary of the  
3 Department of Human Services to the State Central Services Fund as a direct  
4 revenue to fund the Juvenile Ombudsman Program.

5 The provisions of this section shall be in effect only from July 1, ~~2023~~  
6 2024 through June 30, ~~2024~~ 2025.

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8 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
10 OF FUNDS FOR LOCAL JUVENILE DETENTION FACILITIES. The Chief Fiscal Officer  
11 of the State shall transfer funds in an amount of \$400,000 for the fiscal  
12 year ending June 30, ~~2024~~ 2025 from the Department of Human Services – Youth  
13 Services Fund Account to the Juvenile Detention Facilities Operating Fund to  
14 fund the appropriation to the Department of Finance and Administration –  
15 Disbursing Officer for grants for operating expenses of local juvenile  
16 detention facilities.

17 The amount of the funds transferred in the fiscal year ending June 30,  
18 ~~2024~~ 2025 may be adjusted upon request of the Secretary of the Department of  
19 Human Services on a pro-rata basis with any reductions provided in the  
20 Revenue Stabilization Law from the July 1 Official Forecast of general  
21 revenue funding for the Division of Youth Services.

22 The provisions of this section shall be in effect only from July 1, ~~2023~~  
23 2024 through June 30, ~~2024~~ 2025.

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25 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
27 RESIDENTIAL SERVICES CONTINGENCY. If it has been determined that the  
28 Department of Human Services - Division of Youth Services cannot continue to  
29 contract with private provider(s) for residential juvenile services,  
30 educational services, therapeutic services, and/or medical services and deems  
31 it necessary to utilize Department staff to provide all or parts of the  
32 required services above, the Department is authorized to seek the approval of  
33 the Chief Fiscal Officer of the State, the Governor and the Arkansas  
34 Legislative Council or Joint Budget Committee to utilize the contingent  
35 residential services positions contained in this Act and to make the  
36 appropriate transfers from any line item authorized in the RESIDENTIAL

1 SERVICES appropriation of this Act to any line item authorized in the  
 2 OPERATIONS appropriation of this Act. If it has been determined that the  
 3 Department of Human Services - Division of Youth Services cannot continue to  
 4 operate one or more of the various service components of a Residential  
 5 Facility for residential juvenile services, educational services, therapeutic  
 6 services, and/or medical services and deems it necessary to utilize a  
 7 contract with private provider(s), the Department is authorized to seek the  
 8 approval of the Chief Fiscal Officer of the State, the Governor and the  
 9 Arkansas Legislative Council or Joint Budget Committee to make the  
 10 appropriate transfers from any line item authorized in the OPERATIONS  
 11 appropriation of this Act to any line item authorized in the RESIDENTIAL  
 12 SERVICES appropriation of this Act.

13 The provisions of this section shall be in effect only from July 1,  
 14 ~~2023~~ 2024 through June 30, ~~2024~~ 2025.

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 16 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA  
 18 HELP SALARIES - CONTINGENT RESIDENTIAL SERVICES POSITIONS. There is hereby  
 19 established for the Department of Human Services - Division of Youth Services  
 20 - Contingent Residential Services Positions, the following maximum number of  
 21 positions whose salaries shall be governed by the provisions of the Uniform  
 22 Classification and Compensation Act (Arkansas Code § 21-5-201 et seq.), or  
 23 its successor, and all laws amendatory thereto. Requests to use positions  
 24 will be based upon the non-contracted services for residential juvenile  
 25 services, educational services, therapeutic services, and/or medical  
 26 services. If at such time a category(s) of services are contracted with  
 27 private provider(s), identified positions associated with such service(s)  
 28 shall be returned to the contingency pool. In order to ensure required  
 29 staffing levels, Extra Help positions authorized herein are specifically  
 30 exempt from limitation of hours, either by Act or regulation.

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 32 CONTINGENT POSITIONS - RESIDENTIAL SERVICES

			MAXIMUM
ITEM	CLASS		NO. OF
NO.	CODE	TITLE	EMPLOYEES
36 (01)	9999	EXTRA HELP	<u>320</u>

1 GRAND TOTAL CONTINGENT POSITIONS

320

2  
3 The provisions of this section shall be in effect through June 30, 2024  
4 2025.

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

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

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25 SECTION 14. EMERGENCY CLAUSE. It is found and determined by the  
26 General Assembly, that the Constitution of the State of Arkansas prohibits  
27 the appropriation of funds for more than a one (1) year period; that the  
28 effectiveness of this Act on July 1, 2024 is essential to the operation of  
29 the agency for which the appropriations in this Act are provided, and that in  
30 the event of an extension of the legislative session, the delay in the  
31 effective date of this Act beyond July 1, 2024 could work irreparable harm  
32 upon the proper administration and provision of essential governmental  
33 programs. Therefore, an emergency is hereby declared to exist and this Act  
34 being necessary for the immediate preservation of the public peace, health  
35 and safety shall be in full force and effect from and after July 1, 2024.

*/s/Joint Budget Committee*

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