

State of Arkansas  
92nd General Assembly  
Fiscal Session, 2020

# A Bill

HOUSE BILL 1094

By: Joint Budget Committee

## For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
AND OPERATING EXPENSES FOR THE DEPARTMENT OF  
CORRECTIONS - DIVISION OF CORRECTION FOR THE FISCAL  
YEAR ENDING JUNE 30, 2021; AND FOR OTHER PURPOSES.

## Subtitle

AN ACT FOR THE DEPARTMENT OF CORRECTIONS  
- DIVISION OF CORRECTION APPROPRIATION  
FOR THE 2020-2021 FISCAL YEAR.

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

SECTION 1. REGULAR SALARIES - SHARED SERVICES. There is hereby established for the Department of Corrections for the 2020-2021 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2020-2021
(1)	SC003	SECRETARY OF CORRECTIONS	<u>1</u>	GRADE SE05
		MAX. NO. OF EMPLOYEES	1	

SECTION 2. APPROPRIATION - SHARED SERVICES PAYING ACCOUNT. There is hereby appropriated, to the Department of Corrections, to be payable from the Division of Correction Inmate Care and Custody Fund Account, for personal services and operating expenses of the Department of Corrections - Shared



Services for the fiscal year ending June 30, 2021, the following:

ITEM NO.		FISCAL YEAR 2020-2021
(01)	REGULAR SALARIES	\$158,100
(02)	PERSONAL SERVICES MATCHING	42,780
(03)	MAINT. & GEN. OPERATION	
	(A) OPER. EXPENSE	0
	(B) CONF. & TRAVEL	0
	(C) PROF. FEES	0
	(D) CAP. OUTLAY	0
	(E) DATA PROC.	0
(04)	SHARED SERVICES PROGRAMS	<u>0</u>
TOTAL AMOUNT APPROPRIATED		<u><u>\$200,880</u></u>

SECTION 3. REGULAR SALARIES. There is hereby established for the Department of Corrections - Division of Correction for the 2020-2021 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2020-2021
(1)	U035U	ADC DIRECTOR	1	GRADE SE04
(2)	U062U	ADC CHIEF DEPUTY DIRECTOR	1	GRADE SE02
(3)	L001C	PSYCHOLOGIST SUPERVISOR	3	GRADE MP04
(4)	L097C	ADC PSYCHOLOGIST	12	GRADE MP03
(5)	L003C	PSYCHOLOGIST	1	GRADE MP03
(6)	L038C	REGISTERED NURSE	1	GRADE MP01
(7)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE IT08
(8)	D030C	INFORMATION SYSTEMS COORDINATOR	1	GRADE IT07
(9)	D017C	INFO SYSTEMS SECURITY SPECIALIST	1	GRADE IT07
(10)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	3	GRADE IT06
(11)	D052C	SOFTWARE SUPPORT ANALYST	4	GRADE IT05
(12)	D071C	COMPUTER SUPPORT ANALYST	4	GRADE IT03
(13)	D079C	COMPUTER SUPPORT TECHNICIAN	16	GRADE IT02

(14)	N039N ADC DEPUTY DIRECTOR	3	GRADE GS15
(15)	N048N ADC ASSISTANT DIRECTOR	3	GRADE GS14
(16)	A108C ADC ASST CHIEF FINANCIAL OFFICER(CFO)	1	GRADE GS13
(17)	G014N ADC COMPLIANCE ATTORNEY	1	GRADE GS13
(18)	G024N ADC GENERAL COUNSEL	1	GRADE GS13
(19)	T001N ADC SUPERINTENDENT	7	GRADE GS13
(20)	N120N ADC FARM ADMINISTRATOR	1	GRADE GS12
(21)	N136N ADC HEALTH SERVICE ADMINISTRATOR	2	GRADE GS12
(22)	N119N ADC INDUSTRY ADMINISTRATOR	1	GRADE GS12
(23)	P003N ADC PUBLIC INFORMATION OFFICER	1	GRADE GS12
(24)	T005C ADC/DCC CORRECTIONAL WARDEN	10	GRADE GS12
(25)	A021C AGENCY CONTROLLER I	1	GRADE GS12
(26)	G025C ATTORNEY SUPERVISOR	2	GRADE GS12
(27)	R006C HUMAN RESOURCES ADMINISTRATOR	1	GRADE GS12
(28)	T109C SEX OFFENDER COMM NOTIFCTN ASMT ADMIN	1	GRADE GS12
(29)	R013C AGENCY HUMAN RESOURCES MANAGER	1	GRADE GS11
(30)	G047C ATTORNEY SPECIALIST	2	GRADE GS11
(31)	C112C ADC POLICY & RESEARCH COORDINATOR	1	GRADE GS10
(32)	T015C ADC/DCC DEPUTY WARDEN	23	GRADE GS10
(33)	T006C ADC HEAD FARM MANAGER II	3	GRADE GS09
(34)	G222C ADC/DCC INTERNAL AFFAIRS ADMIN	1	GRADE GS09
(35)	T033C ADC/DCC MAJOR	26	GRADE GS09
(36)	A050C AGENCY FISCAL MANAGER	1	GRADE GS09
(37)	E022C EDUCATION & INSTRUCTION MANAGER	2	GRADE GS09
(38)	B042C ENGINEER	1	GRADE GS09
(39)	A038C FISCAL SUPPORT MANAGER	2	GRADE GS09
(40)	M009C LICENSED CERTIFIED SOCIAL WORKER	27	GRADE GS09
(41)	L033C PSYCHOLOGICAL EXAMINER	4	GRADE GS09
(42)	L041C ADC ASST MEDICAL PROGRAM MANAGER	1	GRADE GS08
(43)	S094C ADC CONSTRUCTION/MAINTENANCE COORD	4	GRADE GS08
(44)	T021C ADC HEAD FARM MANAGER I	3	GRADE GS08
(45)	S010C ADC INDUSTRY PROGRAM MANAGER	8	GRADE GS08
(46)	T048C ADC/DCC CAPTAIN	55	GRADE GS08
(47)	T104C ADC/DCC TRAINING ACADEMY SUPERVISOR	1	GRADE GS08
(48)	M031C ADMINISTRATOR OF CHAPLAINCY SVCS	1	GRADE GS08
(49)	R021C BUDGET ANALYST	1	GRADE GS08

(50)	A066C	INTERNAL AUDITOR	2	GRADE GS08
(51)	M088C	LICENSED MASTER SOCIAL WORKER	7	GRADE GS08
(52)	M020C	LICENSED PROFESSIONAL COUNSELOR	74	GRADE GS08
(53)	R014C	PERSONNEL MANAGER	2	GRADE GS08
(54)	V007C	PROCUREMENT COORDINATOR	2	GRADE GS08
(55)	G121C	REHAB PROGRAM MANAGER	9	GRADE GS08
(56)	A062C	RETIREMENT COORDINATOR	1	GRADE GS08
(57)	A060C	SENIOR AUDITOR	1	GRADE GS08
(58)	T034C	WORK RELEASE CENTER SUPERVISOR	3	GRADE GS08
(59)	X026C	CRIMINAL DETENTION FACILITIES COORD	1	GRADE GS08
(60)	A089C	ACCOUNTANT I	1	GRADE GS07
(61)	G142C	ADC CLASSIFICATION ADMINISTRATOR	1	GRADE GS07
(62)	S096C	ADC CONSTRUCTION PROJECT SUPERVISOR	15	GRADE GS07
(63)	T054C	ADC/DCC LIEUTENANT	158	GRADE GS07
(64)	M046C	ADC/DCC TREATMENT COORDINATOR	1	GRADE GS07
(65)	R024C	ASSISTANT PERSONNEL MANAGER	2	GRADE GS07
(66)	A081C	AUDITOR	1	GRADE GS07
(67)	G159C	DEPARTMENT BUSINESS COORDINATOR	1	GRADE GS07
(68)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	2	GRADE GS07
(69)	M026C	LICENSED SOCIAL WORKER	1	GRADE GS07
(70)	L052C	REHAB FACILITY SUPERVISOR	6	GRADE GS07
(71)	A063C	RESEARCH & STATISTICS SUPERVISOR	1	GRADE GS07
(72)	M049C	SENIOR CHAPLAIN	7	GRADE GS07
(73)	E041C	SENIOR LIBRARIAN	1	GRADE GS07
(74)	M023C	SUBSTANCE ABUSE PROGRAM COORD	4	GRADE GS07
(75)	B040C	ADC AGRICULTURE PRODUCTION SUPERVISOR	2	GRADE GS06
(76)	T040C	ADC ASSISTANT HEAD FARM MANAGER	5	GRADE GS06
(77)	S011C	ADC COMMODITY & FOOD SVC ADMR	1	GRADE GS06
(78)	S095C	ADC CONSTRUCTION PROJECT SPECIALIST	9	GRADE GS06
(79)	S027C	ADC INDUSTRIAL SUPERVISOR II	21	GRADE GS06
(80)	G141C	ADC INDUSTRY ASSISTANT ADMR	1	GRADE GS06
(81)	S105C	ADC INDUSTRY PROGRAM SPECIALIST	2	GRADE GS06
(82)	T039C	ADC INMATE TRANSPORTATION COORD	1	GRADE GS06
(83)	X133C	ADC/DCC INTERNAL AFFAIRS INVESTIGATOR	9	GRADE GS06
(84)	T065C	ADC/DCC CORRECTIONAL SERGEANT	888	GRADE GS06
(85)	C037C	ADMINISTRATIVE ANALYST	16	GRADE GS06

(86)	T053C AGRICULTURE UNIT SUPERVISOR II	31	GRADE GS06
(87)	M044C ASSOCIATE PROFESSIONAL COUNSELOR	14	GRADE GS06
(88)	M057C CHAPLAIN	18	GRADE GS06
(89)	S019C DIRECTOR MAINTENANCE	10	GRADE GS06
(90)	L058C DISEASE INTERVENTION SPECIALIST	3	GRADE GS06
(91)	R030C EEO/GRIEVANCE OFFICER	1	GRADE GS06
(92)	A074C FISCAL SUPPORT SUPERVISOR	4	GRADE GS06
(93)	R029C HUMAN RESOURCES RECRUITER	1	GRADE GS06
(94)	T103C LAW ENFORCEMENT TRAINING INSTRUCTOR	7	GRADE GS06
(95)	G178C POLICY DEVELOPMENT COORDINATOR	1	GRADE GS06
(96)	P027C PUBLIC INFORMATION SPECIALIST	1	GRADE GS06
(97)	C026C RECORDS/INTAKE SUPERVISOR	1	GRADE GS06
(98)	B076C RESEARCH PROJECT ANALYST	1	GRADE GS06
(99)	T061C SENIOR INTELLIGENCE ANALYST	1	GRADE GS06
(100)	S016C SKILLED TRADES FOREMAN	1	GRADE GS06
(101)	M048C SUBSTANCE ABUSE PROGRAM LEADER	47	GRADE GS06
(102)	T041C WORK RELEASE PROGRAM SUPERVISOR	4	GRADE GS06
(103)	S022C SKILLED TRADES SUPERVISOR	1	GRADE GS06
(104)	P044C ADC SALES REPRESENTATIVE	5	GRADE GS05
(105)	T071C ADC UNIT TRAINING SUPERVISOR	17	GRADE GS05
(106)	T076C ADC/DCC ADMIN REVIEW OFFICER	6	GRADE GS05
(107)	M059C ADC/DCC ADVISOR	14	GRADE GS05
(108)	S026C ADC/DCC ASST MAINTENANCE SUPERVISOR	14	GRADE GS05
(109)	T075C ADC/DCC CORPORAL	2,384	GRADE GS05
(110)	T059C ADC/DCC FOOD PREPARATION MANAGER	20	GRADE GS05
(111)	M058C ADC/DCC PROGRAM SPECIALIST	12	GRADE GS05
(112)	C024C ADC/DCC RECORDS SUPERVISOR	26	GRADE GS05
(113)	T058C AGRICULTURE UNIT SUPERVISOR I	3	GRADE GS05
(114)	C022C BUSINESS OPERATIONS SPECIALIST	17	GRADE GS05
(115)	V014C BUYER	2	GRADE GS05
(116)	G215C CAREER PLANNING & PLACEMENT SPECIALIST	1	GRADE GS05
(117)	V013C CENTRAL WAREHOUSE OPERATIONS MGR	1	GRADE GS05
(118)	G200C CLASSIFICATION & ASSIGNMENT OFFICER	20	GRADE GS05
(119)	X128C CORRECTIONAL UNIT ACCREDITATION SPEC	13	GRADE GS05
(120)	X127C DISCIPLINARY HEARING OFFICER	6	GRADE GS05
(121)	A091C FISCAL SUPPORT ANALYST	12	GRADE GS05

(122)	R032C HUMAN RESOURCES PROGRAM REP.	1	GRADE GS05
(123)	R031C INSTITUTION HUMAN RESOURCES COORD	16	GRADE GS05
(124)	A090C PAYROLL SERVICES SPECIALIST	1	GRADE GS05
(125)	V015C PURCHASING SPECIALIST	6	GRADE GS05
(126)	M065C RECREATIONAL ACTIVITY SUPERVISOR	20	GRADE GS05
(127)	G216C ADC INMATE GRIEVANCE COORDINATOR	23	GRADE GS05
(128)	E051C STAFF DEVELOPMENT SPECIALIST	2	GRADE GS05
(129)	S043C ADC INDUSTRIAL SUPERVISOR I	7	GRADE GS04
(130)	T077C ADC MAILROOM SERVICES COORDINATOR	15	GRADE GS04
(131)	T083C ADC/DCC CORRECTIONAL OFFICER I	5	GRADE GS04
(132)	T070C ADC/DCC FOOD PREPARATION SUPERVISOR	86	GRADE GS04
(133)	C056C ADMINISTRATIVE SPECIALIST III	36	GRADE GS04
(134)	R037C BENEFITS TECHNICIAN	1	GRADE GS04
(135)	A098C FISCAL SUPPORT SPECIALIST	33	GRADE GS04
(136)	R038C HUMAN RESOURCES ASSISTANT	23	GRADE GS04
(137)	R036C HUMAN RESOURCES SPECIALIST	7	GRADE GS04
(138)	S051C INSTRUMENTATION TECHNICIAN	1	GRADE GS04
(139)	V020C INVENTORY CONTROL MANAGER	4	GRADE GS04
(140)	C046C LEGAL SUPPORT SPECIALIST	2	GRADE GS04
(141)	S046C MAINTENANCE TECHNICIAN	26	GRADE GS04
(142)	A097C PAYROLL TECHNICIAN	2	GRADE GS04
(143)	V024C ADC PROPERTY OFFICER	2	GRADE GS03
(144)	C073C ADMINISTRATIVE SPECIALIST II	78	GRADE GS03
(145)	T081C COMMISSARY MANAGER	29	GRADE GS03
(146)	P045C PUBLIC INFORMATION TECHNICIAN	1	GRADE GS03
(147)	C087C ADMINISTRATIVE SPECIALIST I	102	GRADE GS02
(148)	V030C SHIPPING & RECEIVING CLERK	<u>1</u>	GRADE GS02
	MAX. NO. OF EMPLOYEES	4,762	

SECTION 4. EXTRA HELP. There is hereby authorized, for the Department of Corrections - Division of Correction for the 2020-2021 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: one hundred seventy (170) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate

classification.

SECTION 5. APPROPRIATION - INMATE CARE & CUSTODY. There is hereby appropriated, to the Department of Corrections, to be payable from the Division of Correction Inmate Care and Custody Fund Account, for personal services and operating expenses of the Department of Corrections - Division of Correction - Inmate Care & Custody for the fiscal year ending June 30, 2021, the following:

ITEM NO.	FISCAL YEAR 2020-2021
(01) REGULAR SALARIES	\$177,209,625
(02) EXTRA HELP	100,000
(03) PERSONAL SERVICES MATCHING	66,950,510
(04) OVERTIME	2,550,000
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	61,620,650
(B) CONF. & TRAVEL	155,398
(C) PROF. FEES	74,168,361
(D) CAP. OUTLAY	1,468,526
(E) DATA PROC.	0
(06) JAIL CONTRACTS	1,533,000
(07) OUT-OF-STATE-BEDS	<u>4,427,136</u>
TOTAL AMOUNT APPROPRIATED	<u>\$390,183,206</u>

SECTION 6. APPROPRIATION - INMATE WELFARE PROGRAM. There is hereby appropriated, to the Department of Corrections, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Corrections - Division of Correction - Inmate Welfare Program for the fiscal year ending June 30, 2021, the following:

ITEM NO.	FISCAL YEAR 2020-2021
(01) REGULAR SALARIES	\$811,027
(02) PERSONAL SERVICES MATCHING	342,905

(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	13,028,560
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$14,182,492</u>

SECTION 7. APPROPRIATION - WORK RELEASE PROGRAM. There is hereby appropriated, to the Department of Corrections, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for operating expenses and debt service of the Department of Corrections - Division of Correction - Work Release Program for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$5,394,120
(B) CONF. & TRAVEL	104,150
(C) PROF. FEES	100,000
(D) CAP. OUTLAY	2,427,590
(E) DATA PROC.	0
(02) DEBT SERVICE	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$8,025,860</u>

SECTION 8. APPROPRIATION - PRISON INDUSTRY PROGRAM. There is hereby appropriated, to the Department of Corrections, to be payable from the Division of Correction Prison Industry Fund, for personal services and operating expenses of the Department of Corrections - Division of Correction - Prison Industry Program for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) REGULAR SALARIES	\$2,187,524

(02) EXTRA HELP	10,000
(03) PERSONAL SERVICES MATCHING	811,989
(04) OVERTIME	8,000
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	6,905,213
(B) CONF. & TRAVEL	41,280
(C) PROF. FEES	100,000
(D) CAP. OUTLAY	142,750
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$10,206,756</u></u>

SECTION 9. APPROPRIATION - FARM OPERATIONS PROGRAM. There is hereby appropriated, to the Department of Correction, to be payable from the Division of Correction Farm Fund, for personal services and operating expenses of the Department of Corrections - Division of Correction - Farm Operations Program for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) REGULAR SALARIES	\$2,858,668
(02) EXTRA HELP	10,000
(03) PERSONAL SERVICES MATCHING	1,026,854
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	11,900,000
(B) CONF. & TRAVEL	53,010
(C) PROF. FEES	138,354
(D) CAP. OUTLAY	680,000
(E) DATA PROC.	0
(05) PURCHASE CATTLE/MEAT	<u>650,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$17,316,886</u></u>

SECTION 10. APPROPRIATION - NON-TAX REVENUE RECEIPTS. There is hereby appropriated, to the Department of Corrections, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for operating expenses of the Department of Corrections - Division of Correction - Non-Tax Revenue Receipts for the fiscal year

ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$601,000
(B) CONF. & TRAVEL	0
(C) PROF. FEES	30,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(02) CONSTRUCTION	<u>1,870,200</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$2,501,200</u></u>

SECTION 11. APPROPRIATION - COUNTY JAIL REIMBURSEMENT. There is hereby appropriated, to the Department of Corrections, to be payable from the County Jail Reimbursement Fund, for reimbursement to counties housing state inmates of the Department of Corrections - Division of Correction - County Jail Reimbursement for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) REIMBURSEMENTS TO COUNTIES HOUSING STATE INMATES	<u>\$17,453,607</u>

SECTION 12. APPROPRIATION - ADC SEX OFFENDER ASSESSMENT. There is hereby appropriated, to the Department of Corrections, to be payable from the Sex and Child Offenders Registration Fund, for operating expenses of the Department of Corrections - Division of Correction - ADC Sex Offender Assessment for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</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 13. APPROPRIATION - FIRE STATION - PROTECTION. There is hereby appropriated, to the Department of Corrections, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for operations of the Department of Corrections - Division of Correction - Fire Station - Protection for the fiscal year ending June 30, 2021, the following:

ITEM <u>NO.</u>	FISCAL YEAR <u>2020-2021</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 14. APPROPRIATION - PAWS IN PRISON. There is hereby appropriated, to the Department of Corrections, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for operating expenses of the Department of Corrections - Division of Correction - Paws in Prison for the fiscal year ending June 30, 2021, the following:

ITEM <u>NO.</u>	FISCAL YEAR <u>2020-2021</u>
(01) PAWS IN PRISON	<u><u>\$150,000</u></u>

SECTION 15. APPROPRIATION - MEDICAL MONETARY SANCTIONS. There is hereby appropriated, to the Department of Corrections, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for comprehensive inmate/offender health services of

the Department of Corrections - Division of Correction - Medical Monetary Sanctions for the fiscal year ending June 30, 2021, the following:

ITEM NO.	FISCAL YEAR 2020-2021
(01) MEDICAL MONETARY SANCTIONS	<u>\$1,700,000</u>

SECTION 16. APPROPRIATION - CRIMINAL DETENTION FACILITY REVIEW. There is hereby appropriated, to the Department of Corrections, to be payable from the State Central Services Fund, for personal services and operating expenses of the Department of Corrections - Division of Correction - Criminal Detention Facility Review for the fiscal year ending June 30, 2021, the following:

ITEM NO.	FISCAL YEAR 2020-2021
(01) REGULAR SALARIES	\$95,034
(02) PERSONAL SERVICES MATCHING	32,434
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	14,950
(B) CONF. & TRAVEL	1,300
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$143,718</u>

SECTION 17. APPROPRIATION - CRIMINAL DETENTION COMMITTEE EXPENSES. There is hereby appropriated, to the Department of Corrections, to be payable from the Miscellaneous Agencies Fund Account, for operating expenses of the Department of Corrections - Division of Correction - Criminal Detention Committee Expenses for the fiscal year ending June 30, 2021, the following:

ITEM NO.	FISCAL YEAR 2020-2021
(01) CRIMINAL DETENTION COMMITTEE EXPENSES	<u>\$18,639</u>

SECTION 18. APPROPRIATION - TRANSPORTATION OF JUVENILE OFFENDERS.

There is hereby appropriated, to the Department of Corrections, to be payable from the Miscellaneous Agencies Fund Account, for miscellaneous grants and operating expenses of the Department of Corrections - Division of Correction - Transportation of Juvenile Offenders for the fiscal year ending June 30, 2021, the following:

ITEM NO.	FISCAL YEAR 2020-2021
(01) TRANSPORTATION OF JUVENILE OFFENDERS	<u>\$187,000</u>

SECTION 19. REGULAR SALARIES - RIVERSIDE VOCATIONAL TECHNICAL SCHOOL.

There is hereby established for the Department of Corrections for the 2020-2021 fiscal year, the following maximum number of regular employees.

Item No.	Class Code Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2020-2021
(1)	N150N TECHNICAL INSTITUTE DIRECTOR	1	GRADE GS14
(2)	E009C TECHNICAL INSTITUTE ASST DIRECTOR	3	GRADE GS12
(3)	R021C BUDGET ANALYST	1	GRADE GS08
(4)	E018C SPECIALIZED TECHNICAL FACULTY	5	GRADE GS08
(5)	E027C CAREER & TECHNICAL FACULTY	22	GRADE GS07
(6)	C056C ADMINISTRATIVE SPECIALIST III	2	GRADE GS04
(7)	R036C HUMAN RESOURCES SPECIALIST	1	GRADE GS04
(8)	C073C ADMINISTRATIVE SPECIALIST II	<u>1</u>	GRADE GS03
	MAX. NO. OF EMPLOYEES	36	

SECTION 20. APPROPRIATION - STATE. There is hereby appropriated, to the Department of Corrections, to be payable from the Riverside Vocational Technical School Fund, for personal services and operating expenses of the Department of Corrections - Riverside Vocational Technical School for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
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<u>NO.</u>	<u>2020-2021</u>
(01) REGULAR SALARIES	\$1,620,460
(02) PERSONAL SERVICES MATCHING	574,714
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	185,104
(B) CONF. & TRAVEL	4,000
(E) DATA PROC.	0
(D) CAP. OUTLAY	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$2,384,278</u></u>

SECTION 21. APPROPRIATION - PLUMBING APPRENTICESHIP PROGRAM. There is hereby appropriated, to the Department of Corrections, to be payable from the Riverside Vocational Technical School Fund, for personal services of the Department of Corrections - Division of Correction - Riverside Vocational Technical School for the fiscal year ending June 30, 2021, the following:

<u>ITEM NO.</u>	<u>FISCAL YEAR 2020-2021</u>
(01) REGULAR SALARIES	\$59,393
(02) PERSONAL SERVICES MATCHING	<u>19,639</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$79,032</u></u>

SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REGULAR SALARIES - CONTINGENT POSITIONS. There is hereby established for the Department of Corrections Contingent Positions for the ~~2019-2020~~2020-2021 fiscal year, the following maximum number of regular employees.

CONTINGENT POSITIONS - MEDICAL SERVICES

<u>ITEM NO.</u>	<u>CLASS CODE</u>	<u>TITLE</u>	<u>MAXIMUM NO. OF EMPLOYEES</u>	<u>MAXIMUM ANNUAL SALARY RATE FISCAL YEAR 2019-2020 2020-2021</u>
(01)		CHIEF OF MEDICAL SERVICES	1	\$225,000
(02)		CHIEF OF DENTAL SERVICES	1	175,000
(03)		PHYSICIANS SPECIALIST	15	170,000

(04)	CHIEF OF PHARMACY	1	125,000
(05)	CHIEF OF NURSING SERVICES	1	90,000
(06)	UNIT/FACILITY MEDICAL MGR	15	90,000
(07)	RNP/PA	13	85,000
(08)	DIR OF MEDICAL RECORDS	1	75,000
PATIENT CARE -			
(09)	L011N DENTIST	15	GRADE MP06
(10)	L016N REGISTERED PHARMACIST	3	GRADE MP05
(11)	L019C REGISTERED NURSE COORD	13	GRADE MP02
(12)	L027C REGISTERED NURSE SUPV	45	GRADE MP02
(13)	L064C RADIOLOGY TECHNICIAN	8	GRADE GS07
(14)	L069C LICENSED PRACTICAL NURSE	180	GRADE GS06
(15)	B111C LABORATORY TECHNICIAN	3	GRADE GS04
PATIENT CARE - CLASSIFIED POSITIONS			
(16)	L071C DENTAL HYGIENIST	8	GRADE GS05
(17)	C056C ADMINISTRATIVE SPEC III	11	GRADE GS04
(18)	C053C MEDICAL RECORDS TECH	26	GRADE GS03
(19)	C073C ADMINISTRATIVE SPEC II	9	GRADE GS03
(20)	L081C DENTAL ASSISTANT	14	GRADE GS04
CLASSIFIED - NON-PATIENT CARE			
(21)	CHIEF PSYCHIATRIC SERV.	1	\$400,000
(22)	VP OPERATIONS	1	\$200,000
(23)	REGIONAL MANAGER	3	\$120,000
(24)	PSYCHIATRIC SPECIALIST	6	GRADE MP08
(25)	A014C FISCAL DIVISION MANAGER	1	GRADE GS12
(26)	D030C INFO SYSTEMS COORDINATOR	1	GRADE IT07
(27)	G178C POLICY DEVELOP. COORDINATOR	1	GRADE GS06
(28)	A089C ACCOUNTANT I	1	GRADE GS07
(29)	V014C BUYER	2	GRADE GS05
(30)	D079C COMPUTER SUPPORT TECH	1	GRADE IT02
(31)	INSTITUTIONAL HR COORDINATOR	1	GRADE C115
(32)	HR SPECIALIST	1	GRADE C113
(33)	A098C FISCAL SUPPORT SPECIALIST	1	GRADE GS04
(34)	NURSING ASSISTANT	53	GRADE C110
(35)	A101C ACCOUNTING TECH	4	GRADE GS04
(36)	V029C PURCHASING ASSISTANT	<u>1</u>	GRADE GS01

GRAND TOTAL CONTINGENT EMPLOYEES 462

If the agency requests continuation of a "Growth Pool" position(s) as established herein during the next fiscal year, the position(s) must be requested as a new position(s) in the agency's budget request.

The provisions of this section shall be in effect only from July 1, ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

MEDICAL/MENTAL HEALTH SERVICES - CONTINGENCY POSITIONS. If it has been determined by the Board of Corrections that the Department cannot continue a medical contract with a private provider and the Board deems it necessary to utilize Department staff to provide the required services, the Department is allowed, upon notification of the Chief Fiscal Officer of the State and after seeking prior review by the Arkansas Legislative Council or Joint Budget Committee, to utilize the contingent positions for medical services contained in this Act and make the appropriate transfers from the Professional Fees and Services line item contained in the Inmate Care & Custody appropriation of this Act to Regular Salaries, Personal Services Matching and various Maintenance and General Operations classifications. Further, the Department may utilize the service(s) of a state-based or national-based Professional Recruitment Service, or network, as may be necessary to recruit, fill, or maintain the occupancy of the positions stated herein.

The provisions of this section shall be in effect only from July 1, ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY REIMBURSEMENT RATE RESTRICTION. Notwithstanding any other provision of law or departmental commitment which may exist to the contrary, the Board of Corrections shall not increase any reimbursement rate for payments made to any county for the purpose of reimbursing the expenses of the care and custody of state inmates, without first seeking and receiving the approval of the Governor and the Chief Fiscal Officer of the State.

The provisions of this section shall be in effect only from July 1, ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY JAIL REIMBURSEMENT. In the event the Department of Corrections cannot accept inmates from county jails due to insufficient bed space, the Department shall reimburse the counties at a rate determined by the Chief Fiscal Officer of the State, after consultation with the Division of Legislative Audit and the Department of Correction, and upon approval by the Governor, until the appropriation and funding for such purpose, is exhausted. The reimbursement rate shall include the county's cost of transporting the inmates to the department. The appropriation provided by the Jail Contracts line item in the Inmate Care & Custody appropriation may be used for contracts with county jails for pre-release inmates.

The provisions of this section shall be in effect only from July 1, ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER OF APPROPRIATION WITHIN CAPITAL IMPROVEMENT PROJECTS. The Department of Corrections is hereby authorized to transfer appropriation between and/or among the various capital improvements/construction projects authorized by the General Assembly. Such transfers may be made only after approval by the Governor and after prior approval by the Arkansas Legislative Council or Joint Budget Committee. Such authorization shall in no way mean that the total amount of funds or appropriations for capital improvement/construction projects be greater than that provided by the General Assembly for the Department of Correction.

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Department of Corrections - Division of Correction may operate more efficiently if some flexibility is provided to the Department of Correction authorizing broad powers under this Section.

Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

REALLOCATION OF RESOURCES. Upon determination by the Board of Corrections that a reallocation of resources within the Department of Community Correction and Department of Corrections is necessary for the efficient and effective operation of the departments, the Board, with approval of the Governor and approval by the Arkansas Legislative Council or Joint Budget Committee, shall have the authority to instruct the department directors, to request from the Chief Fiscal Officer of the State, a transfer of positions, programs, funds, appropriations, and line-item appropriations within or between existing and newly created divisions, offices, sections, or units of the departments. If it is determined that the requested transfer should be made, the Chief Fiscal Officer of the State shall then initiate the necessary transfer documents to reflect the transfers upon the fiscal records of the State Treasurer, the State Auditor, the Chief Fiscal Officer of the State, and the Departments of Correction and Community Correction. Provided, however, that the Board shall be limited to submitting no more than two requests, encompassing a single purpose listed in this section, during any fiscal year per department. Transfer authority shall further be limited to no more than five percent (5%) of the total General Revenue and Special Revenue appropriation, funding, and positions specific to each agency. However, there shall be no fund transfers to or from the County Jail Reimbursement Fund. A Reallocation of Resources Transfer shall be limited to the following specific purposes:

- a) Costs to open and operate temporary beds;
- b) Payment of Debt Service;

- c) Payment of Overtime Expenses;
- d) Unanticipated increases for medical or private prison contracts;
- e) Construction/renovation/equipping of new beds;
- f) Deficits in Farm or Industry Program;
- g) Losses not covered by insurance proceeds;
- h) Costs of personnel for critical services or necessary to carry out the mission of the agency.

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Division of Correction and the Division of Community Correction may operate more efficiently if some flexibility is provided to the Board of Corrections authorizing broad powers under the Reallocation of Resources provisions herein. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HOLIDAY COMPENSATION. The Department of Corrections is authorized to pay employees for hours of unused holidays in the employee's holiday account following the end of the calendar year. Payments of unused Holiday hours must be processed on or before June 1st in each fiscal year. Employees terminating employment from the Department of Corrections will be eligible for all holiday pay accrued. This request is contingent on approval by the Chief Fiscal Officer of the State after the Director of the Department of Corrections has verified that sufficient revenues are available to make such payments to employees who

have served in the following classifications, with the exception that those employees wishing to accrue banked hours be allowed the option to bank unused holiday hours in the employee's holiday account, not to exceed one-hundred fifty (150) hours:

Class		
<u>Code</u>	<u>Title</u>	<u>Grade</u>
T033C	ADC/DCC MAJOR	GRADE GS09
T048C	ADC/DCC CAPTAIN	GRADE GS08
T054C	ADC/DCC LIEUTENANT	GRADE GS07
T065C	ADC/DCC CORRECTIONAL SERGEANT	GRADE GS06
T059C	ADC/DCC FOOD PREPARATION MANAGER	GRADE GS05
T075C	ADC/DCC CORPORAL	GRADE GS05
T083C	ADC/DCC CORRECTIONAL OFFICER I	GRADE GS04
T070C	ADC/DCC FOOD PREPARATION SUPERVISOR	GRADE GS04

The provisions of this section shall be in effect only from July 1, ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EMPLOYEE COMPENSATION REPORT. The Department of Finance and Administration Office of Budget shall prepare and submit to the Arkansas Legislative Council or Joint Budget Committee a report reflecting the amount of appropriation and funding necessary for the Department of Corrections to sufficiently budget for the expenditure of payments to employees for all Holiday Liability, Straight Time Liability, Overtime, and Hazardous Duty Compensation incurred, including the current balances of said liabilities. This report shall be included in the summary budget information manual submitted during the biennial budget process.

The provisions of this section shall be in effect only from July 1, ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ADC SEX OFFENDER ASSESSMENT. The Arkansas Department of Corrections is authorized to enter into a cooperative agreement with a qualified state treatment and

assessment agency to conduct assessments of juvenile sex or child offenders as required by provisions of ACA 12-12-901 et. seq. and pay for services upon receipt of invoice.

The provisions of this section shall be in effect only from July 1, ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INMATE COST REPORTING – STATE FACILITIES.

(a) Within 90 days of the close of each state fiscal year, the Arkansas Department of Corrections shall submit to the Arkansas Legislative Council a report of all direct and indirect costs incurred by the State of Arkansas in housing and caring for inmates incarcerated in the State's facilities. Such costs shall be calculated and reported in total for the Department and in total by each facility. The report shall also reflect overall cost per inmate per day, cost per inmate per day for each facility, overall cost per bed per day, and cost per bed per day for each facility.

(b) In compiling costs and reporting to the Arkansas Legislative Council in accordance with subsection (a) of this section of this Act, the Department of Corrections shall:

(1) Record all expenditures in a manner that provides for the association of costs with each facility. Costs not directly attributable to a particular facility (overhead, administration, treatment, etc.) shall be allocated to each facility on the basis of inmate population.

(2) Maintain documentation to support all elements of costs and cost reimbursement both in total and by facility;

(3) Exclude capital outlay disbursements. However, depreciation expense for all ADC fixed assets shall be included. Depreciation expense not directly associated with the fixed assets of a particular facility shall be allocated to each facility on the basis of inmate population.

(4) Include any interest expense incurred by ADC or another state governmental entity as a result of prison construction;

(5) Exclude all payments to local governments for care of inmates housed in local government facilities;

(6) Exclude all payments to local governments for Act 309 prisoners;

(7) Include the state matching requirements associated with federal grant

expenditures. Documentation shall be maintained sufficient to identify such costs by grant.

(8) Deduct reimbursements for costs incurred. The amount of the reimbursement deducted shall be equal to or less than the cost with which the reimbursement is associated.

(9) Include all ancillary costs. These costs shall include, but are not limited to:

- (A) ADC expenses incurred through fund transfers;
- (B) Retirement costs;
- (C) Audit costs;
- (D) ADC cost for shared employees paid by another state governmental entity;
- (E) Inmate educational and rehabilitation costs;
- (F) Inmate related expenses incurred by the Attorney General; however; expenses shall not include costs of defending Habeas Corpus cases.

(c) In determining costs per inmate per day for reporting to the Arkansas Legislative Council in accordance with subsection (a) of this section, ADC shall:

(1) Accumulate the number of inmates housed at each ADC facility each day throughout the state fiscal year for which costs are being reported. This accumulation shall result in total inmate days and shall be divided into total direct and indirect costs compiled in accordance with subsections (a) and (b) of this section.

(2) Exclude those ADC inmates housed in local governmental facilities and Act 309 prisoners from the number of inmates housed at ADC facilities.

(3) Maintain documentation supporting the number of inmates housed at ADC facilities.

The provisions of this section shall be in effect only from July 1, ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY JAIL REIMBURSEMENT FUND YEAR-END FUND BALANCE CARRY FORWARD. Notwithstanding any law pertaining to the transfer of year-end fund balances or any law to the contrary, any funds which remain in the County Jail Reimbursement Fund at the end of a fiscal year shall remain in the County Jail Reimbursement Fund

and made available to fund appropriations authorized by law payable from the County Jail Reimbursement Fund for the following fiscal year.

Any carry forward of unexpended balance of funding as authorized herein, may be carried forward under the following conditions:

- (1) Prior to June 30, ~~2019~~ 2020 the Agency shall by written statement set forth its reason(s) for the need to carry forward said funding to the Department of Finance and Administration Office of Budget;
- (2) The Department of Finance and Administration Office of Budget shall report to the Arkansas Legislative Council all amounts carried forward from the first fiscal year to the second fiscal year by the September Arkansas Legislative Council or Joint Budget Committee meeting which report shall include the name of the Agency, Board, Commission or Institution and the amount of the funding carried forward from the first fiscal year to the second fiscal year, the program name or line item, the funding source of that appropriation and a copy of the written request set forth in (1) above;
- (3) Each Agency, Board, Commission or Institution shall provide a written report to the Arkansas Legislative Council or Joint Budget Committee containing all information set forth in item (2) above, along with a written statement as to the current status of the project, contract, purpose etc. for which the carry forward was originally requested no later than thirty (30) days prior to the time the Agency, Board, Commission or Institution presents its budget request to the Arkansas Legislative Council/Joint Budget Committee; and
- (4) Thereupon, the Department of Finance and Administration shall include all information obtained in item (3) above in the budget manuals and/or a statement of non-compliance by the Agency, Board, Commission or Institution.

The provisions of this section shall be in effect only from July 1, ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REFUND TO EXPENDITURE. The proceeds from the sale of feeder cattle by the Department of Corrections shall be deposited into the State Treasury as a refund to expenditure to the credit of the appropriation available to the Department of Corrections for the "Purchase Cattle/Meat" line item.

The provisions of this section shall be in effect only from July 1, ~~2019~~

2020 through June 30, ~~2020~~ 2021.

SECTION 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. USE OF MAINTENANCE AND OPERATION APPROPRIATION AND SALVAGED MATERIALS CONSTRUCTION. The Department of Corrections is hereby authorized to utilize Maintenance and General Operation Appropriation in conjunction with surplus and/or salvageable materials for the purpose of implementing construction projects to benefit the Department and its various programs. Before such projects may be undertaken, a Method of Finance must be submitted for prior review and approval by the Arkansas Legislative Council or Joint Budget Committee, and review and approval by the Department of Finance and Administration and the Building Authority Division of the Department of Finance and Administration. Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Department of Corrections may operate more efficiently if some flexibility is provided to the Department of Corrections authorizing broad powers under this Section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

SECTION 35. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. UTILITY RATE INCREASE TRANSFER. In the event of a ten percent (10%) increase in utility rates and fuel rates, the Department of Corrections is authorized to

transfer any line item appropriation in this Act to the Maintenance and Operation line item for support of the increase after receiving approval of the Chief Fiscal Officer of the State. Prior to the utilization of the transfer authority, a report shall be made to the Arkansas Legislative Council or Joint Budget Committee including justification for the transfer and the amount of the transfer.

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Department of Corrections may operate more efficiently if some flexibility is provided to the Department of Corrections authorizing broad powers under this Section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

SECTION 36. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MENTAL HEALTH SERVICES. In the event the Department determines to enter into a professional contract for mental health services, the Department may, upon approval of the Chief Fiscal Officer of the State and after prior review and approval by the Arkansas Legislative Council or Joint Budget Committee, make appropriate transfers from regular salaries, personal services matching and various maintenance and operation classifications to the professional fees and services classification for payment of the contractual amount. Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year

is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Department of Corrections may operate more efficiently if some flexibility is provided to the Department of Corrections authorizing broad powers under this Section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

SECTION 37. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL REVENUE/CASH FUNDS TRANSFER. The Department of Corrections is authorized to transfer funds from various Special Revenue and Cash Funds into the Inmate Care and Custody Fund Account in order to adjust to the budget needs upon prior approval by the Arkansas Legislative Council or Joint Budget Committee and approval of the Board of Corrections and the Chief Fiscal Officer of the State.

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Department of Corrections may operate more efficiently if some flexibility is provided to the Department of Corrections authorizing broad powers under this Section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as

provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

SECTION 38. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NEW FACILITIES. If it is found that contracting for the operation of new facilities is economically beneficial to the State of Arkansas, the Department of Corrections may, after receiving approval of the Chief Fiscal Officer, and seeking prior review and approval by the Arkansas Legislative Council or Joint Budget Committee, transfer from any line item appropriation contained in the Inmate Care & Custody appropriation of this Act into the Professional Fees and Services line item contained in the Inmate Care & Custody appropriation of this Act to operate new facilities. Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Department of Corrections may operate more efficiently if some flexibility is provided to the Department of Corrections authorizing broad powers under this Section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

SECTION 39. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

APPROPRIATION TRANSFER FOR CONSTRUCTING AND EQUIPPING. The Department of Corrections is hereby authorized to transfer appropriations between any line items authorized herein but only for the purpose of financing construction or equipment for a facility of the department. Any transfers authorized by this section shall require the approval of the Chief Fiscal Officer of the State after prior review and approval by the Legislative Council or Joint Budget Committee.

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Department of Corrections may operate more efficiently if some flexibility is provided to the Department of Corrections authorizing broad powers under this Section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

SECTION 40. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY JAIL INVOICE SUMMARY. The Department of Corrections and Department of Community Correction, shall at a minimum and on a fiscal year basis, prepare and post on the applicable agency web site, a monthly summary of county jail reimbursement invoices prepared and forwarded to each county sheriff for verification by the Departments and for payment from the County Jail

Reimbursement Fund. In addition, the report shall include a summary of invoices returned by each county for payment for previous months within the fiscal year, the amounts paid, and any balances owed. Each fiscal year-end report shall be maintained on the web sites for a period of no less than three (3) years.

The provisions of this section shall be in effect only from July 1, ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

SECTION 41. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER OF APPROPRIATION TO THE COUNTY JAIL REIMBURSEMENT FUND. If any savings of general revenue appropriation and funds accrue during the ~~2019-2020~~ 2020-2021 fiscal year in the operations of the Department of Corrections, the Director of the Department of Corrections may request a transfer of appropriation from any line item appropriation in the Inmate Care and Custody Fund Account to the County Jail Reimbursement Fund in order to meet obligations to counties for housing state inmates. Such transfer request shall be made upon the approval of the Chief Fiscal Officer of the State and prior review and approval by the Arkansas Legislative Council or Joint Budget Committee.

The provisions of this section shall be in effect only from July 1, ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

SECTION 42. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LOCAL GOVERNMENT INMATE COST REPORT. Each calendar year, the Association of Arkansas Counties shall compile and submit a report to the Arkansas Legislative Council, of all costs incurred, excluding construction costs, by local government units housing inmates sentenced to the Department of Corrections and Department of Community Correction. The cost report shall be a representative sample of all counties housing and caring for state inmates. The report shall be submitted no later than July 1 of the calendar year immediately following the reporting year.

The Association of Arkansas Counties in coordination with Legislative Audit shall determine which counties will be included in the sample and shall include a sufficient number of counties from each classification based upon population and each congressional district to ensure a fair representation of

costs incurred. Guidelines for preparing this cost report shall be developed by the Division of Legislative Audit in coordination with the Association of Arkansas Counties. The Division of Legislative Audit shall test the accuracy of the information submitted during the routine audit of the applicable county.

The provisions of this section shall be in effect only from July 1, ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

SECTION 43. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ESSENTIAL SERVICES STIPEND. The Arkansas Department of Corrections (ADC) may award additional compensation to those exempt employees who are members of the emergency response unit. These employees are eligible to receive up to 3% per hour additional compensation for the actual number of hours that an employee spends on an emergency response action.

The provisions of this section shall be in effect only from July 1, ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

SECTION 44. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MARKETING AND REDISTRIBUTION PROCEEDS FROM SALE OF STATE PROPERTY. The proceeds from the sale of state property through the Marketing and Redistribution Section of the Department of Finance and Administration, may be deposited into the Cash in State Treasury fund in an amount not to exceed \$100,000 there to be used for operating expenses for the Paws in Prison program.

The provisions of this section shall be in effect only from July 1, ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

SECTION 45. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PROMOTIONAL ITEMS. The Department of Corrections is hereby authorized to purchase from Maintenance & General Operations Classifications in the Industry Program (SDD0100) appropriation provided by this act, up to an amount not to exceed \$5,000 each fiscal year for promotional items produced by its prison industry division, to meet the Agency's employee recruitment needs; subject to the authorization of the Director of the Agency, and with

the approval of the Chief Fiscal Officer of the State. The Director of the Agency shall report quarterly to the Board of Corrections the amount and type of promotional items purchased under this Section.

The provisions of this section shall be in effect only from July 1, ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

SECTION 46. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. JUVENILE TRANSPORTATION. Funds appropriated for Transportation of Juveniles in the Transportation of Juvenile Offenders Section of this Act shall be used to provide grants/reimbursements to counties and cities for transportation of juvenile offenders to appropriate care or custody facilities or any other licensed juvenile facility approved by the court or as may be provided by law, in those counties which have juvenile detention facilities. Such grants/reimbursements for juvenile transportation costs shall be made in accordance with procedures and criteria developed and administered by the Office of Criminal Detention Facilities Review Coordinator. The provisions of this section shall be in effect only from July 1, ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

SECTION 47. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHARED SERVICES.

(a)(1)(A) The Chief Fiscal Officer of the State may create paying accounts on his or her books and on the books of the Treasurer of State and the Auditor of State for the payment of personal services and operating expenses by the Department of Corrections - Division of Correction.

(B) Upon prior approval of the Arkansas Legislative Council, or if meeting in Legislative Session the Joint Budget Committee, the Chief Fiscal Officer of the State shall direct the transfer of funds and appropriations to the Shared Services Paying Account appropriation section of this act and the transfer of positions to the Regular Salaries - Shared Services appropriation section of this act on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State.

(2) The transfer authority provided in subdivision (a)(1) of this section for efficiencies and to eliminate duplication of services are

limited only to those services that are provided for multiple divisions of a department, including without limitation to administration, human resources, procurement, communications, fleet operations, and information services.

(3) The transfer authority provided to the department in subdivision (a)(1) of this section may be used to make transfers only within the department's appropriation act or between other appropriation acts authorized for the department.

(b)(1) Each department utilizing the Shared Services Paying Account section or Regular Salaries – Shared Services section of this act shall submit a report to be included in the Budget Manuals for hearings, conducted by the General Assembly, listing all shared services transfers of positions, funds, and appropriation under this section, which shall be submitted as instructed by the Department of Finance and Administration - Office of Budget for uniformity.

(2) A report submitted under subdivision (b)(1) of this section shall include the following:

(A) The position number, authorized position title, class code, grade, business area, and name of the division, section, or unit for the position being transferred to the Regular Salaries – Shared Services section of this act; and

(B) The fund center, appropriation, appropriation amount, commitment item or items, business area, and name of the division, section, or unit for the fund or appropriation being transferred to the Shared Services Paying Account.

(c)(1) It is the intent of the Ninety-Second General Assembly that the authority under this section to transfer positions is intended for use for the time period prior to Fiscal Year 2022 to allow cabinet-level departments to establish a centralized Regular Salaries - Shared Services section, with the recommendation that the position transfer authority granted under this section be discontinued after that time.

(2) The Bureau of Legislative Research shall bring the recommendation in subdivision (c)(1) of this section to the attention of the chairs conducting the 2021 Regular Session pre-session budget hearings, the chairs of the Special Language Subcommittee, and the members of the Special Language Subcommittee during pre-session budget hearings.

(d) Determining the maximum number of employees and the maximum amount

of appropriation and general revenue funding for a cabinet-level department each fiscal year is the prerogative of the General Assembly and is usually accomplished by delineating the maximums in the appropriation act or acts and establishing authorized positions and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization Law. Further, the General Assembly has determined that the cabinet-level departments created under Acts 2019, No. 910, may operate more efficiently if some flexibility is provided as authorized under this section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee, as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

(e) The provisions of this section shall be in effect from the date of passage through June 30, 2021.

SECTION 48. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this act shall be limited to the appropriation for such agency and funds made available by law for the support of such appropriations; and the restrictions of the State Procurement Law, the General Accounting and Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures and Restrictions Act, or their successors, and other fiscal control laws of this State, where applicable, and regulations promulgated by the Department of Finance and Administration, as authorized by law, shall be strictly complied with in disbursement of said funds.

SECTION 49. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative

Council or Joint Budget Committee which relate to its passage and adoption.

SECTION 50. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2020 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2020 could work irreparable harm upon the proper administration and provision of essential governmental 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, 2020.

**APPROVED: 4/17/20**