

State of Arkansas  
93rd General Assembly  
Regular Session, 2021

# A Bill

SENATE BILL 228

By: Senator Rapert

## For An Act To Be Entitled

AN ACT TO MAKE TECHNICAL AMENDMENTS TO STATUTES  
GOVERNING THE ADMINISTRATION OF THE DIVISION OF  
CORRECTION AND THE DIVISION OF COMMUNITY CORRECTION;  
AND FOR OTHER PURPOSES.

## Subtitle

TO MAKE TECHNICAL AMENDMENTS TO STATUTES  
GOVERNING THE ADMINISTRATION OF THE  
DIVISION OF CORRECTION AND THE DIVISION  
OF COMMUNITY CORRECTION.

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

SECTION 1. Arkansas Code § 12-27-106 is amended to read as follows:

12-27-106. Publication of rules – Report concerning administrative directives and administrative memoranda filed with Legislative Council.

(a) The Board of Corrections shall make available in conspicuous places all rules promulgated by the board with reference to the conduct of the persons committed to or housed in correctional facilities that are operated or contracted by the divisions and agencies the board governs.

(b)(1) Except as provided in subdivision (b)(2) of this section, the board shall file a report with the Legislative Council on a quarterly basis containing all new and revised administrative directives and administrative memoranda issued in the previous quarter by:

- (A) The board;
- (B) The Director of the Division of Correction;
- (C) The Director of the Division of Community Correction;



and

(D) Staff of the Division of Correction and the Division of Community Correction; and

(E) The Secretary of the Department of Corrections.

(2) The report under subdivision (b)(1) of this section shall not include information that is confidential under § 12-27-137 or § 12-27-148.

SECTION 2. Arkansas Code § 12-27-110 is amended to read as follows:  
12-27-110. Administrative headquarters.

The Board of Corrections shall locate the administrative headquarters of the ~~Department~~ Division of Correction and the ~~Department~~ Division of Community Correction at a suitable site or sites to be chosen by the board.

SECTION 3. Arkansas Code § 12-27-111 is amended to read as follows:  
12-27-111. Improvements.

(a) The Board of Corrections and the ~~Director~~ Secretary of the Department of ~~Correction~~ Corrections shall decide what improvements are necessary, which are not otherwise provided by law. These improvements shall be made under the direction and supervision of the ~~director~~ secretary.

(b) In making any necessary improvements under the provisions of this section, if in his or her discretion it shall be deemed necessary, the ~~director~~ secretary may employ the services of an engineer, draftsman, or architect to make such plans and specifications as may be necessary.

SECTION 4. Arkansas Code § 12-27-117 is amended to read as follows:  
12-27-117. Employees' uniforms.

~~The~~ As deemed appropriate by the Secretary of the Department of ~~Correction is authorized to~~ Corrections and approved by the Board of Corrections, the Department of Corrections may purchase identifying occupational uniforms for correctional personnel ~~as approved by the Board of Corrections and probation and parole personnel.~~

SECTION 5. Arkansas Code § 12-27-123 is amended to read as follows:  
12-27-123. Supervision and transfer of employees.

(a) All ~~staff, employees, and other personnel~~ of the Department of ~~Correction~~ Corrections shall be under the direct supervision and control of the ~~Director~~ Secretary of the Department of ~~Correction~~ Corrections, who shall report directly to the Board of Corrections.

(b) The Compliance Division, which consists of but is not limited to a compliance attorney and an auditor, shall be under the direct authority of the board.

SECTION 6. Arkansas Code § 25-43-403(c), concerning the duties of the Secretary of the Department of Corrections, is amended to read as follows:

(c) The secretary may perform all duties to administer the ~~Department of Corrections~~ department, subject to Arkansas Constitution, Amendment 33, including without limitation:

(1) Delegate to the employees of the ~~Department of Corrections~~ department any of the powers or duties of the department required to administer the:

(A) Statutory duties; or

(B) Rules, orders, or directives promulgated or issued by the state entities transferred to or established within the department;

(2) Hire department personnel; and

(3) Perform or assign duties assigned to the department or to the employees of the department.

**APPROVED: 2/24/21**