

Stricken language will be deleted and underlined language will be added.
Act 495 of the Regular Session

State of Arkansas
94th General Assembly
Regular Session, 2023

As Engrossed: H4/3/23

A Bill

HOUSE BILL 1135

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR THE OFFICE OF ATTORNEY
GENERAL FOR THE FISCAL YEAR ENDING JUNE 30, 2024; AND
FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE OFFICE OF ATTORNEY GENERAL
APPROPRIATION FOR THE 2023-2024 FISCAL
YEAR.

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

SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established
for the Office of Attorney General for the 2023-2024 fiscal year, the
following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2023-2024
(1)	Q242U	SOLICITOR GENERAL	1	\$181,500
(2)	Q426U	CHIEF DEPUTY ATTORNEY GENERAL	1	\$181,500
(3)	Q427U	DEPUTY ATTORNEY GENERAL	11	\$167,000
(4)	Q428U	SENIOR ASSISTANT ATTORNEY GENERAL I	11	\$140,592
(5)	Q434U	SENIOR ASSISTANT ATTORNEY GENERAL II	17	\$125,986
(6)	Q429U	SENIOR MANAGEMENT ASSISTANT	6	\$115,000
(7)	Q430U	ASSISTANT ATTORNEY GENERAL I	11	\$112,900



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

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

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

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

Item	Class	Maximum	Maximum Annual
		No. of	Salary Rate
			Fiscal Year

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

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

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

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

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

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

SECTION 6. EXTRA HELP - MEDICAID FRAUD DIVISION - FEDERAL. There is hereby authorized, for the Office of Attorney General - Medicaid Fraud Division - Federal for the 2023-2024 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: two (2) 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 7. APPROPRIATION - MEDICAID FRAUD DIVISION - FEDERAL. There is hereby appropriated, to the Office of Attorney General, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Office of Attorney General - Medicaid Fraud Division - Federal for the fiscal year ending June 30, 2024, the following:

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

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

SECTION 8. APPROPRIATION - MEDICAID FRAUD DIVISION - INDIRECT COSTS. There is hereby appropriated, to the Office of Attorney General, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for operating expenses of the Office of Attorney General - Medicaid Fraud Division - Indirect Costs for the fiscal year ending June 30, 2024, the following:

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

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

ITEM NO.	FISCAL YEAR 2023-2024
(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 10. REGULAR SALARIES - COOPERATIVE DISABILITY INVESTIGATION PROGRAM. There is hereby established for the Office of Attorney General - Cooperative Disability Investigation Program for the 2023-2024 fiscal year, the following maximum number of regular employees.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 17. 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 18. 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 19. 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, 2023 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, 2023 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, 2023.

/s/Joint Budget Committee

APPROVED: 4/10/23