

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
89th General Assembly  
Fiscal Session, 2014

As Engrossed: H2/25/14  
**A Bill**

HOUSE BILL 1097

By: Joint Budget Committee

**For An Act To Be Entitled**

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
AND OPERATING EXPENSES FOR THE PROFESSIONAL BAIL  
BONDSMAN LICENSING BOARD FOR THE FISCAL YEAR ENDING  
JUNE 30, 2015; AND FOR OTHER PURPOSES.

**Subtitle**

AN ACT FOR THE PROFESSIONAL BAIL BONDSMAN  
LICENSING BOARD APPROPRIATION FOR THE  
2014-2015 FISCAL YEAR.

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

SECTION 1. REGULAR SALARIES. There is hereby established for the Professional Bail Bondsman Licensing Board for the 2014-2015 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2014-2015
(1)	X022C	BAIL BONDSMAN BOARD EXECUTIVE DIR	1	GRADE C124
(2)	X168C	BAIL BONDSMAN BOARD INVESTIGATOR	1	GRADE C113
(3)	C056C	ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE C112
		MAX. NO. OF EMPLOYEES	3	

SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the Professional Bail Bondsman Licensing Board, to be payable from the



Bail Bondsman Board Fund, for personal services and operating expenses of the Professional Bail Bondsman Licensing Board for the fiscal year ending June 30, 2015, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2014-2015</u>
(01) REGULAR SALARIES	\$136,639
(02) PERSONAL SERVICES MATCHING	43,251
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	103,386
(B) CONF. & TRAVEL	3,000
(C) PROF. FEES	35,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$321,276</u></u>

SECTION 3. APPROPRIATION - TREASURY CASH REIMBURSEMENTS. There is hereby appropriated, to the Professional Bail Bondsman Licensing Board, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, to process security deposits and pay outstanding judgments of bail bonds companies that go out of business by the Professional Bail Bondsman Licensing Board for the fiscal year ending June 30, 2015, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2014-2015</u>
(01) REFUNDS/REIMBURSEMENTS	<u><u>\$500,000</u></u>

SECTION 4. APPROPRIATION. BAIL BOND RECOVERY. There is hereby appropriated, to the Professional Bail Bondsman Licensing Board, to be payable from the Bail Bond Recovery Fund, for personal services and operating expenses for the recovery of forfeited professional bonds for the fiscal year ending June 30, 2015, the sum of .....\$3,500,000.

*SECTION 5. Section 4 of Act 57 of 2013 is amended to read as follows:  
SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*

*CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND TRANSFER. ~~The Professional Bail Bondsman Licensing Board, at the end of each fiscal year, shall transfer all but twenty five percent (25%) of its fund balance to the General Revenue Fund Account in the State Treasury. The Professional Bail Bondsman Licensing Board shall deposit as special revenues sufficient fees and penalties directly into the Bail Bondsman Board Fund to provide for the personal services and operating expenses of the board. At the end of each fiscal year, the Professional Bail Bondsman Licensing Board shall be allowed to retain a fund balance sufficient to cover the personal services and operating expenses of the board for the following fiscal year. Seventy-five percent (75%) of any funds remaining in excess of this balance shall be transferred to the General Revenue Fund Account in the State Treasury.~~*

*The provisions of this section shall be in effect only from July 1, ~~2012~~ 2013 through June 30, ~~2013~~ 2014.*

*SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND TRANSFER. The Professional Bail Bondsman Licensing Board shall deposit as special revenues sufficient fees and penalties directly into the Bail Bondsman Board Fund to provide for the personal services and operating expenses of the board. At the end of each fiscal year, the Professional Bail Bondsman Licensing Board shall be allowed to retain a fund balance sufficient to cover the personal services and operating expenses of the board for the following fiscal year. Seventy-five percent (75%) of any funds remaining in excess of this balance shall be transferred to the General Revenue Fund Account in the State Treasury.*

*The provisions of this section shall be in effect only from July 1, 2014 through June 30, 2015.*

SECTION 7. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in this Act for Maintenance and General Operation shall be expended in payment for services of attorneys, unless the agency shall first make a request in writing to the Attorney General of the State of Arkansas to provide the required legal services. The Attorney General's Office shall provide the requested legal services, or, if the Attorney General's Office shall

determine that sufficient personnel are not available to provide the requested legal services, the Attorney General shall certify the same to the agency and may authorize the agency to employ legal counsel and to expend monies appropriated for Maintenance and General Operations therefor, if:

(1) The Attorney General determines, and certifies in writing, that such agency needs the advice or assistance of legal counsel, and

(2) The Attorney General consents in writing to the employment of the legal counsel to be retained by the agency.

Such certification shall be required with respect to each instance of the employment of special legal counsel, or shall be required annually with respect to legal counsel employed on a retainer basis. A copy of such certification shall be entered in the official minutes of the agency, and shall be retained in the fiscal records of the agency for audit purposes.

SECTION 8. 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 9. 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 10. 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, 2014 is essential to the operation of the agency for which the appropriations in this Act are provided; with the exception that SECTION 5 in this Act shall be in full force and effect from and after the date of its passage and approval, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 2014, with the exception that Section 5 in this Act shall be in full force and effect from and after the date of its passage and approval, 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, 2014; with the exception that Section 5 in this Act shall be in full force and effect from and after the date of its passage and approval.

/s/Joint Budget Committee