

1 State of Arkansas As Engrossed: H3/23/21 H4/19/21

2 93rd General Assembly

# A Bill

3 Regular Session, 2021

HOUSE BILL 1146

4

5 By: Joint Budget Committee

6

7

## For An Act To Be Entitled

8

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES

9

AND OPERATING EXPENSES FOR THE DEPARTMENT OF

10

CORRECTIONS - DIVISION OF COMMUNITY CORRECTION FOR

11

THE FISCAL YEAR ENDING JUNE 30, 2022; AND FOR OTHER

12

PURPOSES.

13

14

15

## Subtitle

16

AN ACT FOR THE DEPARTMENT OF CORRECTIONS

17

- DIVISION OF COMMUNITY CORRECTION

18

APPROPRIATION FOR THE 2021-2022 FISCAL

19

YEAR.

20

21

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

23

24

SECTION 1. REGULAR SALARIES. There is hereby established for the

25

Department of Corrections - Division of Community Correction for the 2021-

26

2022 fiscal year, the following maximum number of regular employees.

27

28

Maximum Annual

29

Maximum

Salary Rate

30

Item Class

No. of

Fiscal Year

31

No. Code Title

Employees

2021-2022

32

(1) U084U DCC DIRECTOR

1

GRADE SE02

33

(2) N129N DCC DEPUTY DIR PAROLE/PROBATION SERV

1

GRADE GS14

34

(3) N114N DCC DEPUTY DIR RESIDENTIAL SVCS

1

GRADE GS14

35

(4) T005C DOC CORRECTIONAL WARDEN

6

GRADE GS12

36

(5) T004C DCC PROGRAM ADMR PAROLE & PROBATION

5

GRADE GS11



1	(6)	M001C DCC TREATMENT ADMINISTRATOR	1	GRADE GS11
2	(7)	X025C DCC PAROLE/PROBATION AREA MANAGER	16	GRADE GS10
3	(8)	T015C DOC DEPUTY WARDEN	6	GRADE GS10
4	(9)	G222C DOC INTERNAL AFFAIRS ADMINISTRATOR	1	GRADE GS09
5	(10)	T033C DOC MAJOR	3	GRADE GS09
6	(11)	T027C DOC TRAINING ADMINISTRATOR	1	GRADE GS09
7	(12)	S094C ADC CONSTRUCTION/MAINTENANCE COORD	2	GRADE GS08
8	(13)	M007C DCC ASST TREATMENT PROGRAM MGR	7	GRADE GS08
9	(14)	X042C DCC PAROLE/PROBATION ASST AREA MGR	46	GRADE GS08
10	(15)	M021C DCC TREATMENT SUPERVISOR	7	GRADE GS08
11	(16)	T048C DOC CAPTAIN	4	GRADE GS08
12	(17)	T104C DOC TRAINING ACADEMY SUPERVISOR	1	GRADE GS08
13	(18)	T045C DCC PAROLE/PROBATION OFFICER	532	GRADE GS07
14	(19)	G154C DCC PROGRAM COORDINATOR	6	GRADE GS07
15	(20)	T059C DOC FOOD PREPARATION MANAGER	11	GRADE GS07
16	(21)	T054C DOC LIEUTENANT	33	GRADE GS07
17	(22)	M046C DOC TREATMENT COORDINATOR	18	GRADE GS07
18	(23)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE GS07
19	(24)	C037C ADMINISTRATIVE ANALYST	6	GRADE GS06
20	(25)	M057C CHAPLAIN	6	GRADE GS06
21	(26)	T065C DOC CORRECTIONAL SERGEANT	67	GRADE GS06
22	(27)	T070C DOC FOOD PREPARATION SUPERVISOR	19	GRADE GS06
23	(28)	R030C EEO/GRIEVANCE OFFICER	1	GRADE GS06
24	(29)	G180C GRANTS ANALYST	1	GRADE GS06
25	(30)	T103C LAW ENFORCEMENT TRAINING INSTRUCTOR	5	GRADE GS06
26	(31)	M048C SUBSTANCE ABUSE PROGRAM LEADER	58	GRADE GS06
27	(32)	C022C BUSINESS OPERATIONS SPECIALIST	7	GRADE GS05
28	(33)	G215C CAREER PLANNING & PLACEMENT SPECIALIST	14	GRADE GS05
29	(34)	G200C CLASSIFICATION & ASSIGNMENT OFFICER	4	GRADE GS05
30	(35)	X128C CORRECTIONAL UNIT ACCREDITATION SPEC	1	GRADE GS05
31	(36)	T092C DCC PAROLE/PROBATION OFFICER I	1	GRADE GS05
32	(37)	T076C DOC ADMIN REVIEW OFFICER	7	GRADE GS05
33	(38)	M059C DOC ADVISOR	134	GRADE GS05
34	(39)	S026C DOC ASST MAINTENANCE SUPERVISOR	9	GRADE GS05
35	(40)	T075C DOC CORPORAL	237	GRADE GS05
36	(41)	M058C DOC PROGRAM SPECIALIST	9	GRADE GS05

1	(42) C024C DOC RECORDS SUPERVISOR	8	GRADE GS05
2	(43) R031C INSTITUTION HUMAN RESOURCES COORD	6	GRADE GS05
3	(44) C056C ADMINISTRATIVE SPECIALIST III	90	GRADE GS04
4	(45) T083C DOC CORRECTIONAL OFFICER I	1	GRADE GS04
5	(46) A098C FISCAL SUPPORT SPECIALIST	4	GRADE GS04
6	(47) C073C ADMINISTRATIVE SPECIALIST II	69	GRADE GS03
7	(48) M084C BEHAV HLTH AIDE	<u>1</u>	GRADE GS03
8	MAX. NO. OF EMPLOYEES	1,475	

9

10 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department  
 11 of Corrections - Division of Community Correction for the 2021-2022 fiscal  
 12 year, the following maximum number of part-time or temporary employees, to be  
 13 known as "Extra Help", payable from funds appropriated herein for such  
 14 purposes: ten (10) temporary or part-time employees, when needed, at rates  
 15 of pay not to exceed those provided in the Uniform Classification and  
 16 Compensation Act, or its successor, or this act for the appropriate  
 17 classification.

18

19 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby  
 20 appropriated, to the Department of Corrections, to be payable from the  
 21 Division of Community Correction Fund Account, for personal services and  
 22 operating expenses of the Department of Corrections - Division of Community  
 23 Correction - State Operations for the fiscal year ending June 30, 2022, the  
 24 following:

25

26	ITEM	FISCAL YEAR
27	<u>NO.</u>	<u>2021-2022</u>
28	(01) REGULAR SALARIES	\$59,139,188
29	(02) EXTRA HELP	100,000
30	(03) PERSONAL SERVICES MATCHING	22,063,548
31	(04) OVERTIME	210,000
32	(05) MAINT. & GEN. OPERATION	
33	(A) OPER. EXPENSE	10,724,558
34	(B) CONF. & TRAVEL	2,800
35	(C) PROF. FEES	166,229
36	(D) CAP. OUTLAY	500,000

1	(E) DATA PROC.	0
2	(06) REENTRY	<u>3,285,000</u>
3	TOTAL AMOUNT APPROPRIATED	<u>\$96,191,323</u>

4

5 SECTION 4. APPROPRIATION - OPERATIONS - SPECIAL REVENUE. There is  
 6 hereby appropriated, to the Department of Corrections, to be payable from the  
 7 Community Correction Revolving Fund, for operating expenses of the Department  
 8 of Corrections - Division of Community Correction - Operations - Special  
 9 Revenue for the fiscal year ending June 30, 2022, the following:

10

11	ITEM	FISCAL YEAR
12	<u>NO.</u>	<u>2021-2022</u>
13	(01) MAINT. & GEN. OPERATION	
14	(A) OPER. EXPENSE	\$4,200,000
15	(B) CONF. & TRAVEL	100,000
16	(C) PROF. FEES	1,000,000
17	(D) CAP. OUTLAY	1,200,000
18	(E) DATA PROC.	0
19	(02) WAR MEMORIAL	10,000
20	(03) COMMUNITY CORRECTION PROGRAMS	6,200,000
21	(04) TRANSITIONAL HOUSING	<u>1,800,000</u>
22	TOTAL AMOUNT APPROPRIATED	<u>\$14,510,000</u>

23

24 SECTION 5. APPROPRIATION - RESIDENTS SERVICES - CASH. There is hereby  
 25 appropriated, to the Department of Corrections, to be payable from the cash  
 26 fund deposited in the State Treasury as determined by the Chief Fiscal  
 27 Officer of the State, for operating expenses of the Department of Corrections  
 28 - Division of Community Correction - Residents Services - Cash for the fiscal  
 29 year ending June 30, 2022, the following:

30

31	ITEM	FISCAL YEAR
32	<u>NO.</u>	<u>2021-2022</u>
33	(01) MAINT. & GEN. OPERATION	
34	(A) OPER. EXPENSE	\$2,557,846
35	(B) CONF. & TRAVEL	0
36	(C) PROF. FEES	101,800

1	(D) CAP. OUTLAY	660,000
2	(E) DATA PROC.	<u>0</u>
3	TOTAL AMOUNT APPROPRIATED	<u><u>\$3,319,646</u></u>

4

5 SECTION 6. APPROPRIATION - FEDERAL ASSET FORFEITURE. There is hereby  
 6 appropriated, to the Department of Corrections, to be payable from the cash  
 7 fund deposited in the State Treasury as determined by the Chief Fiscal  
 8 Officer of the State, for operating expenses of the Department of Corrections  
 9 - Division of Community Correction - Federal Asset Forfeiture for the fiscal  
 10 year ending June 30, 2022, the following:

11	ITEM	FISCAL YEAR
12	NO.	2021-2022
13	<hr/>	
14	(01) MAINT. & GEN. OPERATION	
15	(A) OPER. EXPENSE	\$500,000
16	(B) CONF. & TRAVEL	0
17	(C) PROF. FEES	0
18	(D) CAP. OUTLAY	0
19	(E) DATA PROC.	<u>0</u>
20	TOTAL AMOUNT APPROPRIATED	<u><u>\$500,000</u></u>

21

22 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY  
 24 CORRECTION PROGRAMS LINE ITEM USES. After seeking and receiving approval of  
 25 the Governor and Chief Fiscal Officer of the State and upon approval by the  
 26 Arkansas Legislative Council or Joint Budget Committee, the Director of the  
 27 Department of Corrections - Division of Community Correction, as authorized  
 28 by the Board of Corrections, is authorized to use funds appropriated for  
 29 "Community Correction Programs" line item of the Operations - Special Revenue  
 30 appropriation provided in this Act to construct new or renovate existing  
 31 facilities to support the development of community correction facilities in  
 32 the state.

33 Determining the maximum number of employees and the maximum amount of  
 34 appropriation and general revenue funding for a state agency each fiscal year  
 35 is the prerogative of the General Assembly. This is usually accomplished by  
 36 delineating such maximums in the appropriation act(s) for a state agency and

1 the general revenue allocations authorized for each fund and fund account by  
2 amendment to the Revenue Stabilization law. Further, the General Assembly  
3 has determined that the Department of Corrections - Division of Community  
4 Correction may operate more efficiently if some flexibility is provided to  
5 the Department of Corrections - Division of Community Correction authorizing  
6 broad powers under this Section. Therefore, it is both necessary and  
7 appropriate that the General Assembly maintain oversight by requiring prior  
8 approval of the Legislative Council or Joint Budget Committee as provided by  
9 this section. The requirement of approval by the Legislative Council or  
10 Joint Budget Committee is not a severable part of this section. If the  
11 requirement of approval by the Legislative Council or Joint Budget Committee  
12 is ruled unconstitutional by a court of competent jurisdiction, this entire  
13 section is void.

14 The provisions of this section shall be in effect only from July 1, ~~2020~~  
15 2021 through June 30, ~~2021~~ 2022.

16  
17 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PARKING  
19 FEES. On July 1, of each year the Department of Corrections - Division of  
20 Community Correction shall pay from the appropriation provided herein from  
21 non-general revenue, the total amount appropriated for War Memorial Parking  
22 Services from Fees to War Memorial.

23 The provisions of this section shall be in effect only from July 1, ~~2020~~  
24 2021 through June 30, ~~2021~~ 2022.

25  
26 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
28 PROVISION. Upon seeking and receiving approval from the Chief Fiscal Officer  
29 of the State and review and approval by the Arkansas Legislative Council or  
30 Joint Budget Committee, the Director of the Department of Corrections -  
31 Division of Community Correction is authorized to transfer appropriation from  
32 any line item authorized in the State Operations and Operations - Special  
33 Revenue Appropriations of this Act to any other line item authorized in the  
34 State Operations and Operations - Special Revenue Appropriations of this Act.  
35 Determining the maximum number of employees and the maximum amount of  
36 appropriation and general revenue funding for a state agency each fiscal year

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

16 The provisions of this section shall be in effect only from July 1, ~~2020~~  
17 2021 through June 30, ~~2021~~ 2022.

18  
19 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

21 REALLOCATION OF RESOURCES. Upon determination by the Board of Corrections,  
22 at the request of the Secretary of Corrections, that a reallocation of  
23 resources within the Department of Corrections - Divisions of Community  
24 Correction and ~~Department of~~ Corrections is necessary for the efficient and  
25 effective operation of the departments, the Board, with approval of the  
26 Governor and approval by the Arkansas Legislative Council or Joint Budget  
27 Committee, shall have the authority to instruct the ~~department~~  
28 ~~directors~~ Department Secretary, to request from the Chief Fiscal Officer of  
29 the State, a transfer of positions, programs, funds, appropriations, and  
30 line-item appropriations within or between existing and newly created  
31 divisions, offices, sections, or units of the departments. If it is  
32 determined that the requested transfer should be made, the Chief Fiscal  
33 Officer of the State shall then initiate the necessary transfer documents to  
34 reflect the transfers upon the fiscal records of the State Treasurer, the  
35 State Auditor, the Chief Fiscal Officer of the State, and the Department of  
36 Corrections - Divisions of Correction and ~~Department of~~ Community Correction.

1 Provided, however, that the Board shall be limited to submitting no more than  
2 two requests, encompassing a single purpose listed in this section, during  
3 any fiscal year per department. Transfer authority shall further be limited  
4 to no more than five percent (5%) of the total General Revenue and Special  
5 Revenue appropriation, funding, and positions specific to each  
6 ~~agency~~division. However, there shall be no transfers to or from the County  
7 Jail Reimbursement Fund. A Reallocation of Resources Transfer shall be  
8 limited to the following specific purposes:

- 9 a) Costs to open and operate temporary beds;
- 10 b) Payment of Debt Service;
- 11 c) Payment of Overtime Expenses;
- 12 d) Unanticipated increases for medical or private prison contracts;
- 13 e) Construction/renovation/equipping of new beds;
- 14 f) Deficits in Farm or Industry Program;
- 15 g) Losses not covered by insurance proceeds;
- 16 h) Costs of personnel for critical services or necessary to carry out the  
17 mission of the agency.

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

35 The provisions of this section shall be in effect only from July 1, ~~2020~~  
36 2021 through June 30, ~~2021~~ 2022.



SECTION 11. 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 - Division of Community Correction is authorized to pay employees for ~~up to ninety-six (96) hours of unused holidays exceeding a balance~~ in the employee's holiday account ~~of one-hundred fifty (150) hours 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 - Division of Community Correction will be eligible for all holiday pay accrued ~~during the years of service~~. This request is contingent on approval by the ~~Chief Fiscal Officer of the State after the Director of the Department of Corrections - Division of Community Correction and the Secretary of the Department of Corrections~~ has verified that sufficient revenues are available to make such payments to employees 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	Code	Title	Maximum Annual Salary Rate	Fiscal Year
				<del>2020-2021</del> 2021-2022
	T033C	ADC/DCC MAJOR	GRADE GS09	
	T048C	ADC/DCC CAPTAIN	GRADE GS08	
	T054C	ADC/DCC LIEUTENANT	GRADE GS07	
	<u>T059C</u>	<u>ADC/DCC FOOD PREPARATION MANAGER</u>	<u>GRADE GS07</u>	
	T065C	ADC/DCC CORRECTIONAL SERGEANT	GRADE GS06	
	<u>T070C</u>	<u>ADC/DCC FOOD PREPARATION SUPERVISOR</u>	<u>GRADE GS06</u>	
	T075C	ADC/DCC CORPORAL	GRADE GS05	
	T083C	ADC/DCC CORRECTIONAL OFFICER I	GRADE GS04	

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL

1 SERVICES - CONTINGENCY POSITIONS. If it has been determined by the Board of  
 2 Corrections that the Department of Corrections - Division of Community  
 3 Correction cannot continue a medical contract with a private provider and the  
 4 Board deems it necessary to utilize ~~Department~~ staff to provide the required  
 5 services, the Department of Corrections - Division of Community Correction is  
 6 allowed, upon notification of the Chief Fiscal Officer of the State and after  
 7 seeking prior review by the Arkansas Legislative Council or Joint Budget  
 8 Committee, to utilize the contingent positions for medical services contained  
 9 in this Act and make the appropriate transfers from the Professional Fees and  
 10 Services line item contained in the State Operations Appropriation of this  
 11 Act to Regular Salaries, Personal Services Matching and various Maintenance  
 12 and General Operations classifications. Further, the Department may utilize  
 13 the service(s) of a state-based or national-based Professional Recruitment  
 14 Service, or network, as may be necessary to recruit, fill, or maintain the  
 15 occupancy of the positions stated herein.

16 The provisions of this section shall be in effect only from July 1, ~~2020~~  
 17 2021 through June 30, ~~2021~~ 2022.

18  
 19 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REGULAR  
 21 SALARIES - CONTINGENT POSITIONS. There is hereby established for the  
 22 Department of Corrections - Division of Community Correction - Contingent  
 23 Positions for the ~~2020-2021~~ 2021-2022 fiscal year, the following maximum  
 24 number of regular employees.

25  
 26 CONTINGENT POSITIONS - MEDICAL SERVICES

				MAXIMUM ANNUAL	
				MAXIMUM	SALARY RATE
ITEM	CLASS			NO. OF	FISCAL YEAR
NO.	CODE	TITLE		EMPLOYEES	<del>2020-2021</del> 2021-2022
31	(1)	L009C	NURSE MANAGER	1	GRADE MP03
32	(2)	L033C	PSYCH. EXAMINER	1	GRADE GS09
33	(3)	M026C	LICENSED SOCIAL WORKER	6	GRADE GS07
34	(4)	L032C	REGISTERED NURSE HOSPITAL	7	GRADE MP01
35	(5)	L069C	LIC PRACT NURSE	25	GRADE GS06
36	(6)	C056C	ADMIN SPECIALIST III	2	GRADE GS04

1	(7)	G238C	ADMINISTRATOR	1	GRADE GS09
2	(8)	L081C	DENTAL ASSISTANT	1	GRADE GS04
3	(9)	L013N	DENTAL DIRECTOR	1	GRADE MP06
4	(10)	L071C	DENTAL HYGIENIST	1	GRADE GS05
5	(11)	L011N	DENTIST	1	GRADE MP06
6	(12)	L008N	PHYSICIAN - STAFF	1	GRADE MP07
7	(13)	L024N	PSYCHIATRIC DIRECTOR	1	GRADE GS09
8	(14)	L005N	PSYCHIATRIST	1	GRADE MP08
9	(15)	L003C	PSYCHOLOGIST - PT	1	GRADE MP03
10	(16)	C056C	SECRETARY/ADMIN ASST	<u>1</u>	GRADE GS04
11			MAXIMUM NUMBER OF CONTINGENT		
12			EMPLOYEES - MEDICAL SERVICES	52	

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

16 The provisions of this section shall be in effect only from July 1, ~~2020~~  
 17 2021 through June 30, ~~2021~~ 2022.

18

19 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY  
 21 CORRECTION PROGRAMS LINE ITEM USES. After seeking and receiving approval of  
 22 the Governor and Chief Fiscal Officer of the State and upon approval by the  
 23 Arkansas Legislative Council or Joint Budget Committee, the Director of the  
 24 Department of Corrections - Division of Community Correction, as authorized  
 25 by the Board of Corrections, is authorized to use the appropriations  
 26 authorized under the line item established herein for "Community Correction  
 27 Programs" are to be used by the Department of Corrections - Division of  
 28 Community Correction for establishment and operation of, to include  
 29 construction, renovation, and contracting for establishment and operation of,  
 30 residential and non-residential community correction programs such as, but  
 31 not limited to, community correction centers, drug, alcohol, and mental  
 32 health treatments, intensive supervision, restitution, and others as  
 33 established and approved by the Board of Corrections and as may be provided  
 34 by law.

35 The provisions of this section shall be in effect only from July 1, ~~2020~~  
 36 2021 through June 30, ~~2021~~ 2022.

1  
2 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
4 AUTHORITY FOR UTILITY AND FUEL RATE INCREASE. In the event of a ten percent  
5 (10%) increase in utility and fuel rates, the Department of Corrections -  
6 Division of Community Correction is authorized to transfer from any line item  
7 in the State Operations Appropriation to the Operating Expense line item in  
8 the State Operations Appropriation for support of the increase after  
9 receiving approval of the Chief Fiscal Officer of the State. Prior to the  
10 utilization of the transfer authority a report shall be made to the Arkansas  
11 Legislative Council or Joint Budget Committee including justification for the  
12 transfer and the amount of transfer.

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

30 The provisions of this section shall be in effect only from July 1, ~~2020~~  
31 2021 through June 30, ~~2021~~ 2022.

32  
33 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY  
35 JAIL INVOICE SUMMARY. The ~~Department~~ Divisions of Corrections and ~~Department~~  
36 ~~of Community Correction~~, shall at a minimum and on a fiscal year basis,

1 prepare and post on the applicable agency web site, a monthly summary of  
2 county jail reimbursement invoices prepared and forwarded to each county  
3 sheriff for verification by the Departments and for payment from the County  
4 Jail Reimbursement Fund. In addition, the report shall include a summary of  
5 invoices returned by each county for payment for previous months within the  
6 fiscal year, the amounts paid, and any balances owed. Each fiscal year-end  
7 report shall be maintained on the web sites for a period of no less than  
8 three (3) years.

9 The provisions of this section shall be in effect only from July 1, ~~2020~~  
10 2021 through June 30, ~~2021~~ 2022.

11  
12 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MOTOR  
14 VEHICLE PURCHASE PROVISION. The Department of Corrections - Division of  
15 Community Correction is hereby authorized to purchase motor vehicles from the  
16 appropriations authorized for Capital Outlay in the State Operations and  
17 Special Revenue Operations appropriations in this Act.

18 The provisions of this section shall be in effect only from July 1, ~~2020~~  
19 2021 through June 30, ~~2021~~ 2022.

20  
21 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
23 PAROLE/PROBATION OFFICERS HIRING. The Department of Corrections - Division  
24 of Community Correction shall report quarterly to the Arkansas Legislative  
25 Council or Joint Budget Committee the number of vacant Parole/Probation  
26 Officer, Parole/Probation Area Manager, Parole/Probation Assistant Area  
27 Manager positions and average case load per Parole/Probation Officer.

28 The provisions of this section shall be in effect only from July 1, ~~2020~~  
29 2021 through June 30, ~~2021~~ 2022.

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31 SECTION 19. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
32 authorized by this act shall be limited to the appropriation for such agency  
33 and funds made available by law for the support of such appropriations; and  
34 the restrictions of the State Procurement Law, the General Accounting and  
35 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
36 Procedures and Restrictions Act, or their successors, and other fiscal

1 control laws of this State, where applicable, and regulations promulgated by  
2 the Department of Finance and Administration, as authorized by law, shall be  
3 strictly complied with in disbursement of said funds.

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

13  
14 SECTION 21. EMERGENCY CLAUSE. It is found and determined by the  
15 General Assembly, that the Constitution of the State of Arkansas prohibits  
16 the appropriation of funds for more than a one (1) year period; that the  
17 effectiveness of this Act on July 1, 2021 is essential to the operation of  
18 the agency for which the appropriations in this Act are provided, and that in  
19 the event of an extension of the legislative session, the delay in the  
20 effective date of this Act beyond July 1, 2021 could work irreparable harm  
21 upon the proper administration and provision of essential governmental  
22 programs. Therefore, an emergency is hereby declared to exist and this Act  
23 being necessary for the immediate preservation of the public peace, health  
24 and safety shall be in full force and effect from and after July 1, 2021.

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26 */s/ Joint Budget Committee*  
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