

Stricken language will be deleted and underlined language will be added.

State of Arkansas
93rd General Assembly
Fiscal Session, 2022

As Engrossed: S3/2/22
A Bill

SENATE BILL 23

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR TRIAL COURT
ADMINISTRATORS, THE OFFICIAL COURT REPORTERS OF THE
CIRCUIT COURTS, JUVENILE PROBATION AND INTAKE
OFFICERS AND DRUG COURT JUVENILE PROBATION AND INTAKE
OFFICERS FOR THE FISCAL YEAR ENDING JUNE 30, 2023;
AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE ADMINISTRATIVE OFFICE OF
THE COURTS - COURT PERSONNEL
APPROPRIATION FOR THE 2022-2023 FISCAL
YEAR.

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

SECTION 1. REGULAR SALARIES - TRIAL COURT ADMINISTRATORS. There is hereby established for the Administrative Office of the Courts - Trial Court Administrators for the 2022-2023 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum	Maximum Annual
			No. of Employees	Salary Rate Fiscal Year
				2022-2023
(1)	Q226C	TRIAL COURT ADMINISTRATOR	<u>127</u>	GRADE GS07
		MAX. NO. OF EMPLOYEES	127	



SECTION 2. APPROPRIATION - TRIAL COURT ADMINISTRATORS. There is hereby appropriated, to the Administrative Office of the Courts, to be payable from the *State Central Services Fund*, for personal services, Trial Court Administrator Substitutes expenses and Trial Court Administrators expenses of the Trial Court Administrators of the Circuit Courts for the fiscal year ending June 30, 2023, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2022-2023</u>
(01) REGULAR SALARIES	\$6,367,803
(02) PERSONAL SERVICES MATCHING	2,165,040
(03) TRIAL COURT ADMINISTRATOR EXPENSES	175,000
(04) TRIAL COURT ADMINISTRATOR SUBSTITUTES	<u>175,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$8,882,843</u></u>

SECTION 3. REGULAR SALARIES - COURT REPORTERS. There is hereby established for the Administrative Office of the Courts - Official Court Reporters of the Circuit Courts for the 2022-2023 fiscal year, the following maximum number of regular employees.

Item	Class	Maximum	Maximum Annual
<u>No.</u>	<u>Code Title</u>	<u>No. of</u>	<u>Salary Rate</u>
		<u>Employees</u>	<u>Fiscal Year</u>
			<u>2022-2023</u>
(1)	Q227C COURT REPORTER	<u>127</u>	GRADE GS08
	MAX. NO. OF EMPLOYEES	127	

SECTION 4. APPROPRIATION - COURT REPORTERS. There is hereby appropriated, to the Administrative Office of the Courts, to be payable from the *State Central Services Fund*, for personal services, expenses allowance, indigent transcripts and court reporter substitutes of the Official Court Reporters of the Circuit Courts for the fiscal year ending June 30, 2023, the following:

ITEM	FISCAL YEAR
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<u>NO.</u>	<u>2022-2023</u>
(01) REGULAR SALARIES	\$7,210,472
(02) PERSONAL SERVICES MATCHING	2,403,490
(03) EXPENSES ALLOWANCE	350,000
(04) INDIGENT TRANSCRIPTS	600,000
(05) COURT REPORTER SUBSTITUTES	<u>375,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$10,938,962</u>

SECTION 5. APPROPRIATION - JUVENILE PROBATION & INTAKE OFFICERS. There is hereby appropriated, to the Administrative Office of the Courts, to be payable from the State Central Services Fund, for reimbursement of a portion of the salaries of full-time juvenile probation and intake officers in accordance with Arkansas Code 16-13-327 and Arkansas Code 16-13-328 for the fiscal year ending June 30, 2023, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2022-2023</u>
(01) JUVENILE PROBATION & INTAKE OFFICERS	<u>\$4,618,100</u>

SECTION 6. REGULAR SALARIES - DRUG COURT JUVENILE PROBATION & INTAKE OFFICERS. There is hereby established for the Administrative Office of the Courts - Drug Court Juvenile Probation & Intake Officers for the 2022-2023 fiscal year, the following maximum number of regular employees.

Item Class	Maximum	Maximum Annual
No. Code Title	No. of	Salary Rate
<u>No. Code Title</u>	<u>Employees</u>	<u>Fiscal Year</u>
		<u>2022-2023</u>
(1) Q231C DRUG COURT JUV PROB & INTAKE OFF	<u>13</u>	GRADE GS06
MAX. NO. OF EMPLOYEES	13	

SECTION 7. APPROPRIATION - DRUG COURT JUVENILE PROBATION & INTAKE OFFICERS. There is hereby appropriated, to the Administrative Office of the Courts, to be payable from the State Central Services Fund, for personal services for the Drug Court Juvenile Probation & Intake Officers and operating expenses for the Structured Assessment of Violence Risk in Youth

(SAVRY) Program for the fiscal year ending June 30, 2023, the following:

ITEM NO.	FISCAL YEAR 2022-2023
(01) REGULAR SALARIES	\$518,030
(02) PERSONAL SERVICES MATCHING	190,538
(03) SAVRY PROGRAM EXPENSES	<u>87,500</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$796,068</u></u>

SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING FROM THE ADMINISTRATION OF JUSTICE FUND FOR COURT REPORTERS AND TRIAL COURT ADMINISTRATORS.

(a) (i) *The Administrative Office of the Courts shall be responsible for requesting and verifying the need for any additional appropriation, any position change level, and any increase in the Administration of Justice Fund Allocation Section as authorized annually through special language in the Department of Finance and Administration's Disbursing Act and any increases in State Central Services as appropriated in Administrative Office of the Courts - Court Personnel appropriation bill, for the Trial Court Administrators and Official Court Reporters.*

(ii) *Any annual or biennial request for an increase in the Administration of Justice Fund allocation section for Trial Court Administrators and/or Official Court Reporters shall not exceed the total or projected total appropriation as authorized by the General Assembly. revenues available for the Trial Court Administrator Fund or the Court Reporter's Fund from the Administration of Justice Fund as determined by the Administrative Office of the Courts with assistance from the Department of Finance and Administration.*

(b) (i) *During a fiscal year the Administrative Office of the Courts shall not approve any change level in salary, operating expense and other distributions for Trial Court Administrators which will exceed actual or projected fund balances appropriation available for in the Trial Court Administrators Fund.*

(ii) *During a fiscal year the Administrative Office of the Courts shall not approve any change level in salary, operating expense and other*

distributions for Court Reporters which will exceed actual or projected ~~fund~~
balances appropriation available for in the Court Reporter's Fund Reporters.

(c) In order for the General Assembly to make an informed decision on any appropriation increase request, the Administrative Office of the Courts shall include with any request for an appropriation increase for Court Reporters and/or Trial Court Administrators, which is over the previous fiscal year total appropriation, the following information:

(i) A letter explaining the purpose or reason for the requested appropriation increases along with a total dollar amount requested, the change level or increase requested and the funding source of the increase.

(ii) For all Trial Court Administrators and/or Court Reporters a report that includes:

(A) Current salaries and previous Fiscal Years salaries;

(B) Current years of service;

(C) Listing of salary increases received by an employee during the current or previous fiscal year; and

(D) The requested increase amount of salary and match for each Trial Court Administrator and/or Court Reporter.

(iii) A copy of the rules, policy or procedures established or utilized by the Administrative Office of the Courts in conjunction with the Judicial Council that are used in determining current salaries and salary increases for Trial Court Administrators and/or Court Reporters."

SECTION 9. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code § 19-5-205(e)(1)(B), concerning the moneys deposited into the State Central Services Fund, is amended to add an additional subdivision to read as follows:

(xviii) Revenues from the real property transfer tax distributed under § 26-60-112(b)(2)(B)(i).

SECTION 10. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code § 26-60-112(b)(2)(B)(i), concerning the distribution of revenues generated by the real property transfer tax, is amended to read as follows:

(B)(i) After making the distribution of the revenues as provided in subdivision (b)(2)(A) of this section, the remainder available each fiscal year shall be credited as ~~special revenues~~ to the State

~~Administration of Justice Fund~~ State Central Services Fund to be used for supplementing moneys in the ~~State Administration of Justice Fund~~ State Central Services Fund for ~~court reporter~~ the salaries and expenses ~~in the event that the moneys available in the Court Reporter's Fund are inadequate during any fiscal year to make the necessary payments for salary and related expenses~~ of the various court reporters of the state.

SECTION 11. SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 16-13-327(d), concerning juvenile court probation officers, is amended to read as follows:

(d)(1)(A) The salary of the probation officer shall be paid by the county or counties in which the probation officer works.

(B) Except as provided in subdivision (d)(3) of this section, the state shall pay a portion of the salary of a full-time probation officer:

(i) Who is certified according to the laws of this state; and

(ii) Whose salary has been paid by the county or counties for a period of one (1) year.

(2) The portion to be paid by the state shall be the lesser of:

(A) ~~Fifteen thousand dollars (\$15,000)~~ Twenty thousand dollars (\$20,000) per year; or

(B) One-half (1/2) the probation officer's average salary as calculated over the last twelve (12) months.

(3) For reimbursement under the requirements of this subsection, the state shall reimburse a county only for salaries paid to the number of probation officers that:

(A) Meet the requirements of subdivision (d)(1) of this section; and

(B) Do not exceed two hundred fifty (250) positions authorized by the counties for probation and intake officers, subject to state funding.

SECTION 12. SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 16-13-328(d), concerning juvenile court intake officers, is amended to read as follows:

(d)(1)(A) The salary of the intake officer shall be paid by the county or counties in which the intake officer works.

(B) Except as provided in subdivision (d)(3) of this section, the state shall pay a portion of the salary of a full-time intake officer:

(i) Who is certified according to the laws of this state; and

(ii) Whose salary has been paid by the county or counties for a period of one (1) year.

(2) The portion to be paid by the state shall be the lesser of:

(A) ~~Fifteen thousand dollars (\$15,000)~~ Twenty thousand dollars (\$20,000) a year; or

(B) One-half ($\frac{1}{2}$) the intake officer's average salary as calculated over the last twelve (12) months.

(3) The state shall reimburse a county only for a portion of salaries paid to the number of intake officers that:

(A) Meet the requirements of subdivision (d)(1) of this section; and

(B) For reimbursement under the requirements of this subsection, do not exceed two hundred fifty (250) positions authorized by the counties for probation and intake officers, subject to state funding.

(e) In order for the General Assembly to make an informed decision on any appropriation increase request, the Administrative Office of the Courts shall include with any request for an appropriation increase for Juvenile Court Probation Officers, which is over the previous fiscal year total appropriation, the following information:

(1) A letter explaining the purpose or reason for the requested appropriation increases along with a total dollar amount requested, the change level or increase requested and the funding source of the increase.

(2) For all Juvenile Court Probation Officers a report that includes:

(A) Current salaries and previous Fiscal Years salaries;

(B) Current years of service;

(C) Listing of salary increases received by an employee during the current or previous fiscal year.

SECTION 13. SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 16-13-

331(d), concerning state reimbursement of state juvenile court personnel, is amended to read as follows:

(d)(1) A county may determine that part-time service of a juvenile officer is sufficient to meet the needs of the county.

(2)(A) Multiple counties in a judicial district may share the cost of the salary of the juvenile officer.

(B) One (1) county may be designated as the county to be reimbursed by the state, or each county shall designate the portion of the salary that it pays for juvenile services.

(3)(A) A county may contract with a service provider for full-time or part-time juvenile officer services, and the county shall indicate the percentage of the contractor's time that is spent providing juvenile officer services for the county.

(B) The county or the contractor shall be reimbursed for one-half (1/2) of the portion of the salary that is used for such services, up to ~~fifteen thousand dollars (\$15,000)~~ twenty thousand dollars (\$20,000).

SECTION 14. 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 15. 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 16. EFFECTIVE DATE. This act is effective on and after July 1, 2022.

/s/Joint Budget Committee