

1 State of Arkansas
2 89th General Assembly
3 Fiscal Session, 2014
4

As Engrossed: H2/25/14
A Bill

HOUSE BILL 1097

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 PROFESSIONAL BAIL
10 BONDSMAN LICENSING BOARD FOR THE FISCAL YEAR ENDING
11 JUNE 30, 2015; AND FOR OTHER PURPOSES.
12
13

14 **Subtitle**

15 AN ACT FOR THE PROFESSIONAL BAIL BONDSMAN
16 LICENSING BOARD APPROPRIATION FOR THE
17 2014-2015 FISCAL YEAR.
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19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. REGULAR SALARIES. There is hereby established for the
23 Professional Bail Bondsman Licensing Board for the 2014-2015 fiscal year, the
24 following maximum number of regular employees.
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2014-2015
30	(1) X022C	BAIL BONDSMAN BOARD EXECUTIVE DIR	1	GRADE C124
31	(2) X168C	BAIL BONDSMAN BOARD INVESTIGATOR	1	GRADE C113
32	(3) C056C	ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE C112
33		MAX. NO. OF EMPLOYEES	3	

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



1 Bail Bondsman Board Fund, for personal services and operating expenses of the
2 Professional Bail Bondsman Licensing Board for the fiscal year ending June
3 30, 2015, the following:

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

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17 SECTION 3. APPROPRIATION - TREASURY CASH REIMBURSEMENTS. There is
18 hereby appropriated, to the Professional Bail Bondsman Licensing Board, to be
19 payable from the cash fund deposited in the State Treasury as determined by
20 the Chief Fiscal Officer of the State, to process security deposits and pay
21 outstanding judgments of bail bonds companies that go out of business by the
22 Professional Bail Bondsman Licensing Board for the fiscal year ending June
23 30, 2015, the following:

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

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

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

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

14 The provisions of this section shall be in effect only from July 1, ~~2012~~
15 2013 through June 30, ~~2013~~ 2014.

16
17 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
18 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND TRANSFER.
19 The Professional Bail Bondsman Licensing Board shall deposit as special
20 revenues sufficient fees and penalties directly into the Bail Bondsman Board
21 Fund to provide for the personal services and operating expenses of the
22 board. At the end of each fiscal year, the Professional Bail Bondsman
23 Licensing Board shall be allowed to retain a fund balance sufficient to cover
24 the personal services and operating expenses of the board for the following
25 fiscal year. Seventy-five percent (75%) of any funds remaining in excess of
26 this balance shall be transferred to the General Revenue Fund Account in the
27 State Treasury.

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

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

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

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

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

9 Such certification shall be required with respect to each instance of
10 the employment of special legal counsel, or shall be required annually with
11 respect to legal counsel employed on a retainer basis. A copy of such
12 certification shall be entered in the official minutes of the agency, and
13 shall be retained in the fiscal records of the agency for audit purposes.
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15 SECTION 8. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
16 authorized by this act shall be limited to the appropriation for such agency
17 and funds made available by law for the support of such appropriations; and
18 the restrictions of the State Procurement Law, the General Accounting and
19 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
20 Procedures and Restrictions Act, or their successors, and other fiscal
21 control laws of this State, where applicable, and regulations promulgated by
22 the Department of Finance and Administration, as authorized by law, shall be
23 strictly complied with in disbursement of said funds.
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25 SECTION 9. LEGISLATIVE INTENT. It is the intent of the General
26 Assembly that any funds disbursed under the authority of the appropriations
27 contained in this act shall be in compliance with the stated reasons for
28 which this act was adopted, as evidenced by the Agency Requests, Executive
29 Recommendations and Legislative Recommendations contained in the budget
30 manuals prepared by the Department of Finance and Administration, letters, or
31 summarized oral testimony in the official minutes of the Arkansas Legislative
32 Council or Joint Budget Committee which relate to its passage and adoption.
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34 SECTION 10. EMERGENCY CLAUSE. It is found and determined by the
35 General Assembly, that the Constitution of the State of Arkansas prohibits
36 the appropriation of funds for more than a one (1) year period; that the

1 effectiveness of this Act on July 1, 2014 is essential to the operation of
2 the agency for which the appropriations in this Act are provided; with the
3 exception that SECTION 5 in this Act shall be in full force and effect from
4 and after the date of its passage and approval, and that in the event of an
5 extension of the Regular Session, the delay in the effective date of this Act
6 beyond July 1, 2014, with the exception that Section 5 in this Act shall be
7 in full force and effect from and after the date of its passage and approval,
8 could work irreparable harm upon the proper administration and provision of
9 essential governmental programs. Therefore, an emergency is hereby declared
10 to exist and this Act being necessary for the immediate preservation of the
11 public peace, health and safety shall be in full force and effect from and
12 after July 1, 2014; with the exception that Section 5 in this Act shall be in
13 full force and effect from and after the date of its passage and approval.

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15 /s/Joint Budget Committee
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