

1 State of Arkansas  
2 90th General Assembly  
3 Fiscal Session, 2016  
4

# A Bill

SENATE BILL 128

5 By: Senator L. Chesterfield  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION TO ESTABLISH A HIGHER  
9 EDUCATION FOR INCARCERATED OFFENDERS PILOT PROGRAM  
10 FOR THE DEPARTMENT OF COMMUNITY CORRECTION FOR THE  
11 FISCAL YEAR ENDING JUNE 30, 2017; AND FOR OTHER  
12 PURPOSES.  
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## Subtitle

15 AN ACT FOR THE DEPARTMENT OF COMMUNITY  
16 CORRECTION - POSTSECONDARY EDUCATION  
17 APPROPRIATION FOR THE 2016-2017 FISCAL  
18 YEAR.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. APPROPRIATION - HIGHER EDUCATION FOR INCARCERATED OFFENDERS  
25 PILOT PROGRAM. There is hereby appropriated, to the Department of Community  
26 Correction, to be payable from the Department of Community Correction Fund  
27 Account, to establish a Higher Education for Incarcerated Offenders pilot  
28 program for postsecondary education and training expenses of incarcerated  
29 offenders of the Department of Community Correction for the fiscal year  
30 ending June 30, 2017, the following:  
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32 ITEM	FISCAL YEAR
33 <u>NO.</u>	<u>2016-2017</u>
34 (01) TUITION, BOOKS AND RELATED EXPENSES	
35 FOR INCARCERATED INDIVIDUALS	<u>\$1,000,000</u>

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1 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EDUCATION  
 3 EXPENSES.

4 (a) The Department of Community Corrections may pay expenses of  
 5 eligible postsecondary institutions for the cost of tuition, fees, books or  
 6 other related costs to provide educational services to incarcerated persons.  
 7 Only postsecondary state institutions that applied for a 2016-2017 U.S.  
 8 Department of Education Second Chance Pell Pilot Program for Incarcerated  
 9 Individuals are eligible to participate in the state pilot program.

10 (b) The provisions of this section shall be in effect only from July  
 11 1, 2016 through June 30, 2017.

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 13 SECTION 3. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
 14 authorized by this act shall be limited to the appropriation for such agency  
 15 and funds made available by law for the support of such appropriations; and  
 16 the restrictions of the State Procurement Law, the General Accounting and  
 17 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
 18 Procedures and Restrictions Act, or their successors, and other fiscal  
 19 control laws of this State, where applicable, and regulations promulgated by  
 20 the Department of Finance and Administration, as authorized by law, shall be  
 21 strictly complied with in disbursement of said funds.

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 23 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General  
 24 Assembly that any funds disbursed under the authority of the appropriations  
 25 contained in this act shall be in compliance with the stated reasons for  
 26 which this act was adopted, as evidenced by the Agency Requests, Executive  
 27 Recommendations and Legislative Recommendations contained in the budget  
 28 manuals prepared by the Department of Finance and Administration, letters, or  
 29 summarized oral testimony in the official minutes of the Arkansas Legislative  
 30 Council or Joint Budget Committee which relate to its passage and adoption.

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 32 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General  
 33 Assembly, that the Constitution of the State of Arkansas prohibits the  
 34 appropriation of funds for more than a one (1) year period; that the  
 35 effectiveness of this Act on July 1, 2016 is essential to the operation of  
 36 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, 2016 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, 2016.

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