

State of Arkansas  
89th General Assembly  
Regular Session, 2013

*As Engrossed: H3/19/13*  
**A Bill**

HOUSE BILL 1887

By: Representative E. Armstrong

By: Senator L. Chesterfield

### **For An Act To Be Entitled**

AN ACT TO PROVIDE FOR A TYPE 3 TRANSFER OF THE WEATHERIZATION ASSISTANCE PROGRAM (WAP) FROM THE DIVISION OF COUNTY OPERATIONS OF THE DEPARTMENT OF HUMAN SERVICES TO THE ARKANSAS ENERGY OFFICE OF THE ARKANSAS ECONOMIC DEVELOPMENT COMMISSION; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

### **Subtitle**

TO PROVIDE FOR A TYPE 3 TRANSFER OF THE WEATHERIZATION ASSISTANCE PROGRAM (WAP); AND TO DECLARE AN EMERGENCY.

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

SECTION 1. Arkansas Code Title 25, Chapter 11, Subchapter 1, is amended to add an additional section to read as follows:

25-11-103. Transfer of the Weatherization Assistance Program.

(a)(1) The Weatherization Assistance Program, a federally funded program under § 42 U.S.C. 6861 et seq., operated by the Division of County Operations of the Department of Human Services is abolished and all the powers, duties and functions, records, property, personnel, unexpended balances of appropriations, allocations, or other funds are transferred by a Type 3 transfer to the Arkansas Energy Office of the Arkansas Economic Development Commission.

(2) This transfer does not conflict with any duties, responsibilities, or powers of the office.



(b) Unspent funds associated with the Weatherization Assistance Program shall be transferred from the department to the commission within thirty (30) days of the effective date of this act.

(c) The department annually shall transfer to the commission a minimum of fifteen percent (15%) up to a maximum of twenty-five percent (25%), as allowed by federal law or regulation, of the annual allocation for the Low Income Home Energy Assistance Program to the commission to be used by the program.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the weatherization services provided to eligible recipients of the Weatherization Assistance Program need to be continued; that eligible recipients should not be subject to a lengthy delay due to the transition of the Weatherization Assistance Program; that the financial benefits of the weatherization services provided reduce the amount of money spent on utilities and offer a greater level of comfort to recipients; and that this act is immediately necessary to ensure there is no delay in services provided to qualified individuals in need of weatherization services. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2013.

*/s/E. Armstrong*

**APPROVED: 04/11/2013**