

Stricken language would be deleted from and underlined language would be added to present law.
Act 260 of the Fiscal Session

State of Arkansas
91st General Assembly
Fiscal Session, 2018

As Engrossed: S3/7/18
A Bill

SENATE BILL 122

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO AMEND THE REVENUE STABILIZATION LAW; TO
CREATE FUNDS, TO REPEAL FUNDS, AND TO MAKE TRANSFERS
TO AND FROM FUNDS AND FUND ACCOUNTS; AND FOR OTHER
PURPOSES.

Subtitle

AN ACT TO AMEND THE REVENUE STABILIZATION
LAW AND TO CREATE FUNDS, TO REPEAL FUNDS,
AND TO MAKE TRANSFERS TO AND FROM FUNDS
AND FUND ACCOUNTS.

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

SECTION 1. The purpose of this act is to amend the Revenue Stabilization Law and to create funds, to repeal funds, and to make transfers to and from funds and fund accounts.

SECTION 2. Arkansas Code § 19-5-1240 is amended to read as follows:
19-5-1240. Minority and Women-Owned Business Loan Mobilization
Revolving Fund.

(a) There is created on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a miscellaneous fund to be known as the "Minority and Women-Owned Business Loan Mobilization Revolving Fund".

(b) The Minority and Women-Owned Business Loan Mobilization Revolving Fund shall consist of the unexpended fund balances remaining in the Small Business Loan Fund Account of the 82nd Session General Improvement Fund as of



the close of business on June 30, 2009, and such other funds as may be authorized by law.

(c) All reimbursements, repayments of loans, and interest earned and deposited into the Minority and Women-Owned Business Loan Mobilization Revolving Fund from any source shall be treated as a refund to expenditure.

(d) The Minority and Women-Owned Business Loan Mobilization Revolving Fund shall be used to promote the development of minority and women-owned business enterprises in the state, increase the ability of minority and women-owned business enterprises to compete for state contracts, and sustain the economic growth of minority and women-owned business enterprises in the state.

SECTION 3. Arkansas Code 19-5-401 is amended to read as follows:

19-5-401. Allocations for fiscal year 2018-2019 and thereafter. Commencing with the fiscal year beginning July 1, 2018, and each fiscal year thereafter, the Treasurer of State shall transfer all remaining general revenues available for distribution on the last day of business in July 2018, and on the last day of business in each calendar month thereafter during the fiscal year to the various funds and fund accounts participating in general revenues in the proportions of the maximum allocation as the individual allocation to the fund or fund account bears to the total of the maximum allocation as provided in § 19-5-402 (a) and (b).

SECTION 4. Arkansas Code 19-5-402 is amended to read as follows:

19-5-402. Maximum allocations of revenues for fiscal year 2018-2019 and thereafter.
(a)(1)(A) The Treasurer of State shall first make monthly allocations in the proportions set out in this subsection to the funds and fund accounts listed below until there has been transferred a total of five billion four hundred eighty-eight million three hundred seventy-eight thousand one hundred fifty-three dollars (\$5,488,378,153) or so much thereof as may become available; provided, that the Treasurer of State shall make such monthly allocations in accordance with each fund or fund account's proportionate part of the total of all such allocations set forth in this subsection:

Name of Fund or Fund Account *Maximum Allocation*

PUBLIC SCHOOL FUND

| | |
|------------------------------------------------------------------|-----------------|
| (1) Department of Education Public School Fund Account | \$2,156,934,175 |
| (2) State Library Public School Fund Account | \$ 5,641,919 |
| (3) Department of Career Education Public School Fund Account | \$ 31,964,455 |

GENERAL EDUCATION FUND

| | |
|--------------------------------------------------------------------------------------|---------------|
| (1) Department of Education Fund Account | \$ 15,677,561 |
| (2) Educational Facilities Partnership Fund Account | \$ 38,554,951 |
| (3) Division of Public School Academic Facilities and Transportation Fund Account | \$ 2,509,256 |
| (4) Educational Television Fund Account | \$ 5,278,441 |
| (5) School for the Blind Fund Account | \$ 7,016,941 |
| (6) School for the Deaf Fund Account | \$ 10,142,113 |
| (7) State Library Fund Account | \$ 3,514,711 |
| (8) Department of Career Education Fund Account | \$ 4,790,510 |
| (9) Rehabilitation Services Fund Account | \$ 12,897,526 |
| <i>Technical Institutes:</i> | |
| (10) Crowley's Ridge Technical Institute Fund Account | \$ - |
| (11) Northwest Technical Institute Fund Account | \$ 3,062,951 |
| (12) Riverside Vocational Technical School Fund Account | \$ 2,296,614 |

DEPARTMENT OF HUMAN SERVICES FUND

| | |
|-----------------------------------------------------------------|---------------|
| (1) Department of Human Services Administration Fund Account | \$ 20,449,298 |
| (2) Aging and Adult Services Fund Account | 70,000 |
| (3) Children and Family Services Fund Account | 116,614,648 |
| (4) Child Care and Early Childhood Education Fund Account | 1,062,433 |
| (5) Youth Services Fund Account | 48,693,779 |
| (6) Developmental Disabilities Services Fund Account | 64,839,336 |
| (7) Medical Services Fund Account | 2,182,425 |
| (8) Department of Human Services Grants Fund Account | 1,163,736,688 |
| (9) Behavioral Health Services Fund Account | 101,534,223 |
| (10) State Services for the Blind Fund Account | 1,886,566 |
| (11) County Operations Fund Account | 47,886,932 |

(12) *Provider Services and Quality Assurance Fund Account* 4,652,477

STATE GENERAL GOVERNMENT FUND

(1) *Department of Arkansas Heritage Fund Account* \$ 8,056,879
 (2) *Arkansas Agriculture Department Fund Account* 17,298,621
 (3) *Department of Labor Fund Account* 3,227,555
 (4) *Department of Higher Education Fund Account* 11,399,182
 (5) *Higher Education Grants Fund Account* 40,017,466
 (6) *Arkansas Economic Development Commission
 Fund Account* 11,278,566
 (7) *Department of Correction Inmate Care
 and Custody Fund Account* 353,186,149
 (8) *Department of Community Correction Fund Account* 87,984,370
 (9) *State Military Department Fund Account* 9,310,105
 (10) *Parks and Tourism Fund Account* 20,425,108
 (11) *Arkansas Department of Environmental Quality
 Fund Account* 3,795,216
 (12) *Miscellaneous Agencies Fund Account* 58,760,822

COUNTY AID FUND \$ 21,428,616
COUNTY JAIL REIMBURSEMENT FUND \$ 18,263,607
CRIME INFORMATION SYSTEM FUND \$ 3,759,593
CHILD SUPPORT ENFORCEMENT FUND \$ 12,984,053
PUBLIC HEALTH FUND \$ 78,491,994
PERFORMANCE FUND \$ 16,000,000
MOTOR VEHICLE ACQUISITION REVOLVING FUND \$ 3,000,000
MUNICIPAL AID FUND \$ 29,372,099
DEPARTMENT OF ARKANSAS STATE POLICE FUND \$ 66,375,577
DEPARTMENT OF WORKFORCE SERVICES FUND \$ 3,864,840

INSTITUTIONS OF HIGHER EDUCATION

(1) *ARKANSAS STATE UNIVERSITY FUND* \$ 59,090,991
 (2) *ARKANSAS TECH UNIVERSITY FUND* \$ 32,216,531
 (3) *HENDERSON STATE UNIVERSITY FUND* \$ 18,876,011
 (4) *SOUTHERN ARKANSAS UNIVERSITY FUND* \$ 15,584,976
 (5) *UNIVERSITY OF ARKANSAS FUND* \$ 117,536,490

| | | |
|-----------------------------------------------------------------------------------------|----|------------|
| (6) UNIVERSITY OF ARKANSAS-UA SYSTEM | \$ | 3,417,950 |
| (7) UNIVERSITY OF ARKANSAS FUND-ARCHEOLOGICAL SURVEY | \$ | 2,327,380 |
| (8) UNIVERSITY OF ARKANSAS FUND-DIVISION OF AGRICULTURE | \$ | 62,800,138 |
| (9) UNIVERSITY OF ARKANSAS FUND-CLINTON SCHOOL | \$ | 2,295,575 |
| (10) UNIVERSITY OF ARKANSAS FUND-CRIMINAL JUSTICE INSTITUTE | \$ | 1,825,769 |
| (11) SCHOOL FOR MATH, SCIENCE AND ARTS FUND | \$ | 1,113,015 |
| (12) UNIVERSITY OF ARKANSAS AT FORT SMITH FUND | \$ | 20,594,615 |
| (13) UNIVERSITY OF ARKANSAS AT LITTLE ROCK FUND | \$ | 60,755,097 |
| (14) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND | \$ | 86,456,661 |
| (15) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND - CHILD SAFETY CENTER | \$ | 720,588 |
| (16) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND - INDIGENT CARE | \$ | 5,342,181 |
| (17) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND - CHILD ABUSE/RAPE/DOMESTIC VIOLENCE | \$ | 735,000 |
| (18) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND - PEDIATRICS/PSYCHIATRIC RESEARCH | \$ | 1,950,000 |
| (19) UNIVERSITY OF ARKANSAS AT MONTICELLO FUND | \$ | 15,946,042 |
| (20) UNIVERSITY OF ARKANSAS AT PINE BLUFF FUND | \$ | 25,418,885 |
| (21) UNIVERSITY OF CENTRAL ARKANSAS FUND | \$ | 53,114,705 |
| (22) ARKANSAS NORTHEASTERN COLLEGE FUND | \$ | 8,577,052 |
| (23) ARKANSAS STATE UNIVERSITY - BEEBE FUND | \$ | 11,835,727 |
| (24) ARKANSAS STATE UNIVERSITY - MOUNTAIN HOME FUND | \$ | 3,648,110 |
| (25) ARKANSAS STATE UNIVERSITY - NEWPORT FUND | \$ | 5,992,293 |
| (26) COSSATOT COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS FUND | \$ | 3,395,802 |
| (27) EAST ARKANSAS COMMUNITY COLLEGE FUND | \$ | 8,432,459 |
| (28) ARKANSAS STATE UNIVERSITY MID-SOUTH FUND | \$ | 3,858,007 |
| (29) ARKANSAS STATE UNIVERSITY MID-SOUTH FUND - ADTEC | \$ | 1,500,000 |
| (30) NATIONAL PARK COLLEGE FUND | \$ | 9,046,489 |
| (31) NORTH ARKANSAS COLLEGE FUND | \$ | 7,966,964 |
| (32) NORTHWEST ARKANSAS COMMUNITY COLLEGE FUND | \$ | 10,619,202 |
| (33) PHILLIPS COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS FUND | \$ | 9,063,088 |

| | |
|---------------------------------------------------------------------|---------------|
| (34) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT RICH MOUNTAIN FUND | \$ 3,206,869 |
| (35) SAU - TECH FUND | \$ 5,705,511 |
| (36) SAU - TECH FUND-ENVIRONMENTAL CONTROL CENTER | \$ 368,404 |
| (37) SAU - TECH FUND-FIRE TRAINING ACADEMY | \$ 1,651,221 |
| (38) SOUTH ARKANSAS COMMUNITY COLLEGE FUND | \$ 6,034,307 |
| (39) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT BATESVILLE FUND | \$ 4,131,061 |
| (40) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT HOPE FUND | \$ 4,491,997 |
| (41) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT MORRILTON FUND | \$ 5,022,155 |
| (42) BLACK RIVER TECHNICAL COLLEGE FUND | \$ 6,113,516 |
| (43) COLLEGE OF THE OUACHITAS FUND | \$ 3,527,261 |
| (44) OZARKA COLLEGE FUND | \$ 3,126,475 |
| (45) UNIVERSITY OF ARKANSAS - PULASKI TECHNICAL COLLEGE FUND | \$ 15,137,437 |
| (46) SOUTHEAST ARKANSAS COLLEGE FUND | \$ 5,636,798 |

(2)(A) Fifteen million eight hundred seventy-seven thousand four hundred seventy-six dollars (\$15,877,476), or so much thereof as is available shall be included and added to the amount distributed in (a)(1)(A) and shall be distributed by the Treasurer of State in monthly amounts with each allocation's proportion of the total of (a)(1)(A), (a)(2)(A) and (a)(3)(A) to supplement the Rainy Day Fund.

(3)(A) For fiscal years beginning on and after July 1, 2018, five million nine hundred nine thousand dollars (\$5,909,000) shall be:

(i) Included and added to the amount distributed in subdivision (a)(1)(A) of this section; and

(ii) Distributed by the Treasurer of State in monthly amounts to the Arkansas Medicaid Program Trust Fund under § 19-5-985.

(B) The amount allocated in (a)(3)(A) or so much thereof as is available shall be distributed by the Treasurer of State in monthly amounts with each allocation's proportion of the total of (a)(1)(A), (a)(2)(A) and (a)(3)(A) to supplement the Arkansas Medicaid Program Trust Fund.

(b) After making the maximum annual allocations provided for in subsection (a)(1)(A), (a)(2)(A) and (a)(3)(A) of this section, the Treasurer of State shall then make allocations from the remaining general revenues available for distribution, as set forth in this subsection, to the funds and fund accounts listed below until there has been transferred a total of one hundred fifteen million eight hundred sixty-nine thousand nine hundred eighty-seven dollars (\$115,869,987) or so much thereof that may become available; provided, that the Treasurer of State shall make such monthly allocations in accordance with each fund or fund account's proportionate part of the total of all such allocations set forth in this subsection:

| <i>Name of Fund or Fund Account</i> | <i>Maximum Allocation</i> |
|-----------------------------------------------------------------------------------|---------------------------|
| <i>PUBLIC SCHOOL FUND</i> | |
| (1) Department of Education Public School Fund Account | \$ - |
| (2) State Library Public School Fund Account | \$ - |
| (3) Department of Career Education Public School Fund Account | \$ - |
| <i>GENERAL EDUCATION FUND</i> | |
| (1) Department of Education Fund Account | \$ - |
| (2) Educational Facilities Partnership Fund Account | \$ 3,274,000 |
| (3) Division of Public School Academic Facilities and Transportation Fund Account | \$ - |
| (4) Educational Television Fund Account | \$ - |
| (5) School for the Blind Fund Account | \$ - |
| (6) School for the Deaf Fund Account | \$ - |
| (7) State Library Fund Account | \$ - |
| (8) Department of Career Education Fund Account | \$ - |
| (9) Rehabilitation Services Fund Account | \$ - |
| <i>Technical Institutes:</i> | |
| (10) Crowley's Ridge Technical Institute Fund Account | \$ - |
| (11) Northwest Technical Institute Fund Account | \$ - |
| (12) Riverside Vocational Technical School Fund Account | \$ - |

DEPARTMENT OF HUMAN SERVICES FUND

| | | |
|-----------------------------------------------------------|----|------------|
| (1) Department of Human Services Administration | | |
| Fund Account | \$ | - |
| (2) Aging and Adult Services Fund Account | | - |
| (3) Children and Family Services Fund Account | | 7,337,000 |
| (4) Child Care and Early Childhood Education | | |
| Fund Account | | - |
| (5) Youth Services Fund Account | | - |
| (6) Developmental Disabilities Services Fund Account | | - |
| (7) Medical Services Fund Account | | - |
| (8) Department of Human Services Grants Fund Account | | 87,854,874 |
| (9) Behavioral Health Services Fund Account | | - |
| (10) State Services for the Blind Fund Account | | - |
| (11) County Operations Fund Account | | - |
| (12) Provider Services and Quality Assurance Fund Account | | - |
| <i>STATE GENERAL GOVERNMENT FUND</i> | | |
| (1) Department of Arkansas Heritage Fund Account | \$ | - |
| (2) Arkansas Agriculture Department Fund Account | | - |
| (3) Department of Labor Fund Account | | - |
| (4) Department of Higher Education Fund Account | | - |
| (5) Higher Education Grants Fund Account | | - |
| (6) Arkansas Economic Development Commission | | |
| Fund Account | | - |
| (7) Department of Correction Inmate Care | | |
| and Custody Fund Account | | - |
| (8) Department of Community Correction Fund Account | | - |
| (9) State Military Department Fund Account | | - |
| (10) Parks and Tourism Fund Account | | - |
| (11) Arkansas Department of Environmental Quality | | |
| Fund Account | | - |
| (12) Miscellaneous Agencies Fund Account | | - |
| <i>COUNTY AID FUND</i> | \$ | - |
| <i>COUNTY JAIL REIMBURSEMENT FUND</i> | \$ | - |
| <i>CRIME INFORMATION SYSTEM FUND</i> | \$ | - |
| <i>CHILD SUPPORT ENFORCEMENT FUND</i> | \$ | - |

| | | |
|-------------------------------------------------------------------------------------------------|----|-----------|
| <i>PUBLIC HEALTH FUND</i> | \$ | - |
| <i>PERFORMANCE FUND</i> | \$ | 8,000,000 |
| <i>MOTOR VEHICLE ACQUISITION REVOLVING FUND</i> | \$ | - |
| <i>MUNICIPAL AID FUND</i> | \$ | - |
| <i>DEPARTMENT OF ARKANSAS STATE POLICE FUND</i> | \$ | - |
| <i>DEPARTMENT OF WORKFORCE SERVICES FUND</i> | \$ | - |
| <i>INSTITUTIONS OF HIGHER EDUCATION</i> | | |
| <i>(1) ARKANSAS STATE UNIVERSITY FUND</i> | \$ | - |
| <i>(2) ARKANSAS TECH UNIVERSITY FUND</i> | \$ | 693,692 |
| <i>(3) HENDERSON STATE UNIVERSITY FUND</i> | \$ | 95,730 |
| <i>(4) SOUTHERN ARKANSAS UNIVERSITY FUND</i> | \$ | 487,971 |
| <i>(5) UNIVERSITY OF ARKANSAS FUND</i> | \$ | 4,957,564 |
| <i>(6) UNIVERSITY OF ARKANSAS FUND-UA SYSTEM</i> | \$ | - |
| <i>(7) UNIVERSITY OF ARKANSAS FUND-ARCHEOLOGICAL SURVEY</i> | \$ | - |
| <i>(8) UNIVERSITY OF ARKANSAS FUND-DIVISION OF AGRICULTURE</i> | \$ | - |
| <i>(9) UNIVERSITY OF ARKANSAS FUND-CLINTON SCHOOL</i> | \$ | - |
| <i>(10) UNIVERSITY OF ARKANSAS FUND-CRIMINAL JUSTICE INSTITUTE</i> | \$ | - |
| <i>(11) SCHOOL FOR MATH, SCIENCE AND ARTS FUND</i> | \$ | - |
| <i>(12) UNIVERSITY OF ARKANSAS AT FORT SMITH FUND</i> | \$ | - |
| <i>(13) UNIVERSITY OF ARKANSAS AT LITTLE ROCK FUND</i> | \$ | - |
| <i>(14) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND</i> | \$ | - |
| <i>(15) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND - CHILD SAFETY CENTER</i> | \$ | - |
| <i>(16) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND - INDIGENT CARE</i> | \$ | - |
| <i>(17) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND - CHILD ABUSE/RAPE/DOMESTIC VIOLENCE</i> | \$ | - |
| <i>(18) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND - PEDIATRICS/PSYCHIATRIC RESEARCH</i> | \$ | - |
| <i>(19) UNIVERSITY OF ARKANSAS AT MONTICELLO FUND</i> | \$ | - |
| <i>(20) UNIVERSITY OF ARKANSAS AT PINE BLUFF FUND</i> | \$ | 148,778 |
| <i>(21) UNIVERSITY OF CENTRAL ARKANSAS FUND</i> | \$ | 596,042 |
| <i>(22) ARKANSAS NORTHEASTERN COLLEGE FUND</i> | \$ | - |

| | |
|------------------------------------------------------------------------|--------------|
| (23) ARKANSAS STATE UNIVERSITY - BEEBE FUND | \$ 1,065,897 |
| (24) ARKANSAS STATE UNIVERSITY - MOUNTAIN HOME FUND | \$ 93,846 |
| (25) ARKANSAS STATE UNIVERSITY - NEWPORT FUND | \$ 728,871 |
| (26) COSSATOT COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS FUND | \$ 320,236 |
| (27) EAST ARKANSAS COMMUNITY COLLEGE FUND | \$ - |
| (28) ARKANSAS STATE UNIVERSITY MID-SOUTH FUND | \$ 80,440 |
| (29) ARKANSAS STATE UNIVERSITY MID-SOUTH FUND - ADTEC | \$ - |
| (30) NATIONAL PARK COLLEGE FUND | \$ - |
| (31) NORTH ARKANSAS COLLEGE FUND | \$ 39,064 |
| (32) NORTHWEST ARKANSAS COMMUNITY COLLEGE FUND | \$ - |
| (33) PHILLIPS COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS FUND | \$ - |
| (34) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT RICH MOUNTAIN FUND | \$ - |
| (35) SAU - TECH FUND | \$ - |
| (36) SAU - TECH FUND-ENVIRONMENTAL CONTROL CENTER | \$ - |
| (37) SAU - TECH FUND-FIRE TRAINING ACADEMY | \$ - |
| (38) SOUTH ARKANSAS COMMUNITY COLLEGE FUND | \$ - |
| (39) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT BATESVILLE FUND | \$ - |
| (40) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT HOPE FUND | \$ 63,917 |
| (41) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT MORRILTON FUND | \$ - |
| (42) BLACK RIVER TECHNICAL COLLEGE FUND | \$ - |
| (43) COLLEGE OF THE OUACHITAS FUND | \$ 32,065 |
| (44) OZARKA COLLEGE FUND | \$ - |
| (45) UNIVERSITY OF ARKANSAS PULASKI TECHNICAL COLLEGE FUND | \$ - |
| (46) SOUTHEAST ARKANSAS COLLEGE FUND | \$ - |

SECTION 5. Arkansas Code § 19-5-306, concerning the Department of Human Services Fund, is amended to add an additional subdivision to read as follows:

(13) Provider Services and Quality Assurance Fund Account.

(A) The Provider Services and Quality Assurance Fund Account shall be used for the maintenance, operation, and improvement required by the Division of Provider Services and Quality Assurance of the Department of Human Services in carrying out its powers, functions, and duties.

(B) The Provider Services and Quality Assurance Fund Account shall consist of:

(i) Those general revenues as may be provided by law;

(ii) Nonrevenue income derived from services provided by the Division of Provider Services and Quality Assurance;

(iii) Federal reimbursement received on account of eligible expenditures for the administration of medical services programs or other programs; and

(iv) Any other nonfederal grant funds provided by law.

SECTION 6. CODE AMENDMENT. Arkansas Code Title 19, Chapter 5, Subchapter 12 is amended to add an additional section to read as follows:
19-5-1263. Restricted Reserve Fund

(a) There is created on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a miscellaneous fund to be known as the "Restricted Reserve Fund".

(b) The Restricted Reserve Fund shall consist of:

(1) Funds transferred from the Rainy Day Fund;

(2) Interagency transfers of funds or fund accounts to the Restricted Reserve Fund;

(3) Any revenues provided by law; and

(4) Any other funds and fund transfers provided for by law.

(c) For the purpose of and after meeting the requirements of subsection (d) herein, the Chief Fiscal Officer of the State may from time to time transfer on his or her books and those of the State Treasurer and the Auditor of the State funds from the Restricted Reserve Fund to one (1) or more general revenue operating funds or fund accounts, the Miscellaneous Agencies Fund Account, the Arkansas Department of Transportation for state matching funds and the State Central Services Fund upon prior approval of the greater of

three-fifths (3/5) of the quorum present or a majority of the membership of the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee.

(d)(1) If at any time during the Fiscal Year a State Agency, Board, Commission, State Institution of Higher Education or Constitutional Officer determines that it is necessary to perform its duties or is in the best interest of the citizens of the State of Arkansas to request a transfer from the Restricted Reserve Fund that entity shall submit a detailed request in writing to the Chief Fiscal Officer of the State stating:

(A) The need and purpose of the transfer;

(B) Efforts to find efficiencies and savings prior to making the request;

(C) Current year to date budget and expenditures by line item; and

(D) A detailed line item budget reflecting proposed expenditures in the amount requested.

(2) The Chief Fiscal Officer may request additional information to make a determination and may then approve, modify or deny the request.

(3) Upon the determination by Chief Fiscal Officer of the State that a transfer is necessary, the Chief Fiscal Officer of the State shall submit the entities request and his or her recommendation for approval as required in subsection (c) herein.

SECTION 7. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL, AND TEMPORARY LAW. (a)(1) Notwithstanding any other provision of law, after making the maximum allocations as provided for general revenues available for distribution as set out in Arkansas Code 19-5-401 through 19-5-405 the State Treasurer shall first transfer:

(2) Seventy-five percent (75%) of the remaining general revenues available for distribution on the last day of business in each calendar month to the Restricted Reserve Fund in an amount not to exceed forty seven million nine hundred seventy four thousand thirty-nine dollars (\$47,974,039), there to be used for the respective purposes as provided by law; and

(3) Twenty-five percent (25%) of the remaining general revenues available for distribution during each fiscal year on the last day of business in each calendar month to the Arkansas Highway Transfer Fund in an amount not to exceed fifteen million nine hundred ninety-one thousand three hundred forty-six dollars (\$15,991,346).

(b)(1) Then any general revenues available for distribution over the sixty-three million nine hundred sixty-five thousand three hundred eighty-five dollars (\$63,965,385) as set out in Subsection (a) herein shall be distributed as follows:

(2) Seventy-five percent (75%) of the remaining general revenues available for distribution shall be transferred on the last day of business in each calendar month to the General Revenue Allotment Reserve Fund, there to be used for the respective purposes as provided by law; and

(3) Twenty-five percent (25%) of the remaining general revenues available for distribution shall be transferred on the last day of business in each calendar month to the Arkansas Highway Transfer Fund.

(c) The provisions of this section shall be in effect only from July 1, 2018 through June 30, 2019.

SECTION 8. CODE AMENDMENT. Arkansas Code 19-5-1013 is amended to read as follows:

19-5-1013. ~~Merit Adjustment Fund~~ Performance Fund.

(a) There is established on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a fund to be known as the ~~"Merit Adjustment Fund"~~ "Performance Fund".

(b) The fund shall be used for transfer of funds and appropriations to various state agencies, funded, in whole or in part, with general revenues, for regular salary and personal services matching adjustments authorized by the General Assembly and to award ~~merit~~ raises to employees based upon the performance evaluation system and in accordance with rules promulgated by the Chief Fiscal Officer of the State and which do not have sufficient funding or appropriations to pay for the raises or increases.

(c) The fund shall consist of those general revenues provided by law.

(d) Any references to the Merit Adjustment Fund in the Arkansas Code or Acts of the General Assembly, including without limitation of appropriation Acts, shall be deemed and interpreted as the Performance Fund.

SECTION 9. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DUPLICATE ACTS. If HB1137 and SB122 of the 2018 Fiscal Session of the 91st General Assembly are both enacted and adopted by the 91st General Assembly in identical form, then the

last Act passed or latest expression shall supersede the other.

SECTION 10. EFFECTIVE DATE. This act is effective on and after July 1, 2018.

/s/Teague

APPROVED: 3/9/18