

Stricken language will be deleted and underlined language will be added.
Act 489 of the Regular Session

State of Arkansas
92nd General Assembly
Regular Session, 2019

As Engrossed: H3/5/19
A Bill

HOUSE BILL 1053

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR THE STATE BOARD OF
COLLECTION AGENCIES FOR THE FISCAL YEAR ENDING JUNE
30, 2020; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE STATE BOARD OF COLLECTION
AGENCIES APPROPRIATION FOR THE 2019-2020
FISCAL YEAR.

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

SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for the State Board of Collection Agencies for the 2019-2020 fiscal year, the following maximum number of regular employees.

| Item No. | Class Code | Title | Maximum No. of Employees | Maximum Annual Salary Rate Fiscal Year 2019-2020 |
|----------|------------|-------------------------------------|--------------------------|--|
| (1) | X001N | BD OF COLLECTION EXEC DIR | 1 | GRADE GS12 |
| (2) | X130C | BD OF COLLECTION FIELD INVESTIGATOR | 1 | GRADE GS05 |
| (3) | C022C | BUSINESS OPERATIONS SPECIALIST | 1 | GRADE GS05 |
| (4) | C056C | ADMINISTRATIVE SPECIALIST III | <u>1</u> | GRADE GS04 |
| | | MAX. NO. OF EMPLOYEES | 4 | |

SECTION 2. EXTRA HELP. There is hereby authorized, for the State Board



of Collection Agencies for the 2019-2020 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: one (1) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the State Board of Collection Agencies, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the State Board of Collection Agencies, for personal services and operating expenses of the State Board of Collection Agencies for the fiscal year ending June 30, 2020, the following:

| ITEM NO. | FISCAL YEAR 2019-2020 |
|---|--------------------------|
| (01) REGULAR SALARIES | \$196,784 |
| (02) EXTRA HELP | 5,000 |
| (03) PERSONAL SERVICES MATCHING | 65,692 |
| (04) MAINT. & GEN. OPERATION | |
| (A) OPER. EXPENSE | 91,700 |
| (B) CONF. & TRAVEL | 4,500 |
| (C) PROF. FEES | 16,000 |
| (D) CAP. OUTLAY | 0 |
| (E) DATA PROC. | 0 |
| (05) <i>DHS/UAMS/ASU MOUNTAIN HOME/UCA/ SAU SYSTEM GRANTS/ HENDERSON STATE UNIVERSITY/ ARKANSAS TECH UNIVERSITY/ NORTHWEST ARKANSAS COMMUNITY COLLEGE</i> | <u>1,450,000</u> |
| <i>TOTAL AMOUNT APPROPRIATED</i> | <u>\$1,829,676</u> |

SECTION 4. SPECIAL LANGUAGE. CODE AMENDMENT. Arkansas Code § 17-24-305 is amended to read as follows:

17-24-305. Fees – Disposition.

(a) The State Board of Collection Agencies may charge an annual license fee not to exceed one hundred twenty-five dollars (\$125) for licensing each collection agency and an annual fee of twenty dollars (\$20.00)

effective September 1, 2013, for registering each employee of the licensed collection agency who as an employee solicits, collects, or attempts to collect any delinquent account or accounts by telephone, mail, personal contact, or otherwise.

(b)(1) All income from fees imposed under this section shall be distributed in the form of one (1) annual payment that is a percentage of the total funds available up to the maximum authorized under this subsection.

(2) However, if less than one hundred percent (100%) of the total allocation is available for distribution, all allocations listed in subdivisions ~~(b)(3)(A)-(F)~~ (b)(3)(A)-(H) of this section shall be funded at a prorated percentage consistent with the available funds, not to exceed the maximum amounts listed in subdivisions ~~(b)(3)(A)-(F)~~ (b)(3)(A)-(H) of this section.

(3) Beginning July 1, 2013, and each fiscal year thereafter, the board shall remit to:

(A) The Treasurer of State for the Division of Medical Services of the Department of Human Services, an amount not to exceed one hundred fifteen thousand dollars (\$115,000) for deposit into a paying account as determined by the Chief Fiscal Officer of the State to be used in accordance with § 20-10-705;

(B) The University of Arkansas for Medical Sciences, an amount not to exceed six hundred thousand dollars (\$600,000) for deposit into a financial institution in accordance with the policies of the University of Arkansas for Medical Sciences to be expended for the College of Pharmacy of the University of Arkansas for Medical Sciences and the College of Nursing of the University of Arkansas for Medical Sciences in accordance with § 6-64-417;

(C) Arkansas State University-Mountain Home, an amount not to exceed two hundred fifty thousand dollars (\$250,000) for deposit into the Arkansas State University-Mountain Home Fund to be expended exclusively for the Arkansas State University-Mountain Home Practical Nursing Program;

(D) The University of Central Arkansas, an amount not to exceed one hundred thousand dollars (\$100,000) for deposit into the University of Central Arkansas Fund to be expended exclusively for the University of Central Arkansas School of Nursing;

(E) Southern Arkansas University, an amount not to exceed

one hundred thousand dollars (\$100,000) for deposit into the Southern Arkansas University Fund to be expended exclusively for personal services and operating expenses of the Southern Arkansas University system; ~~and~~

(F) Henderson State University, an amount not to exceed one hundred thousand dollars (\$100,000) for deposit into the Henderson State University Fund;

(G) Arkansas Tech University, an amount not to exceed one hundred thousand dollars (\$100,000) for deposit into the Arkansas Tech University Fund exclusively for nursing programs; and

(H) Northwest Arkansas Community College, an amount not to exceed fifty thousand dollars (\$50,000) for deposit into the Northwest Arkansas Community College Fund exclusively for nursing programs.

(4) Funds remaining after the distributions listed in subdivisions ~~(b)(3)(A)-(F)~~ (b)(3)(A)-(H) of this section shall be deposited into the State Board of Collection Agencies account ~~in~~ into a bank authorized to do business in this state.

SECTION 5. 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 6. 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 7. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2019 is essential to the operation of 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, 2019 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, 2019.

/s/ Joint Budget Committee

APPROVED: 3/15/19