

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

HOUSE BILL 1067

By: Representative Pilkington

By: Senator B. Davis

For An Act To Be Entitled

AN ACT TO CREATE THE ARKANSAS BREAST MILK BANK; TO
CREATE THE BREAST MILK BANK SPECIAL FUND; AND FOR
OTHER PURPOSES.

Subtitle

TO CREATE THE ARKANSAS BREAST MILK BANK;
AND TO CREATE THE BREAST MILK BANK
SPECIAL FUND.

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

SECTION 1. Arkansas Code § 20-7-140 is amended to read as follows:

20-7-140. Arkansas standards for human breast milk - Arkansas Breast Milk Bank.

(a) The Department of Health shall establish, by rule, standards for transporting, processing, and distributing commercial human breast milk on a for-profit or nonprofit basis in this state.

(b) The department may:

(1) Convene a committee of subject matter experts to assist in the development of the standards described in subsection (a) of this section; and

(2) Develop programs to encourage the creation of nonprofit human breast milk depositories and banks, if funding is available.

(c)(1) The Arkansas Breast Milk Bank is created within the University of Arkansas for Medical Sciences.

(2) The Arkansas Breast Milk Bank shall:



(A) Accept and provide breast milk to assist mothers and guardians in providing breast milk to their infants;

(B) Screen all breast milk collected before distribution of the breast milk;

(C) Collect a reasonable fee, if the University of Arkansas for Medical Sciences determines that a fee is necessary for the operation of the Arkansas Breast Milk Bank; and

(D) Comply with all standards established by the department under subsection (a) of this section.

(3) Any fees, donations, or collections generated from the Arkansas Breast Milk Bank shall be deposited into the State Treasury as special revenues and shall be credited to the Breast Milk Bank Special Fund to be used exclusively for the Arkansas Breast Milk Bank.

SECTION 2. Arkansas Code § 19-6-301, concerning the enumeration of special revenues, is amended to add an additional subdivision to read as follows:

(273) Fees collected under § 20-7-140.

SECTION 3. Arkansas Code Title 19, Chapter 6, Subchapter 8, is amended to add an additional section to read as follows:

19-6-843. Breast Milk Bank Special 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 special revenue fund to be known as the "Breast Milk Bank Special Fund".

(b) The fund shall consist of:

(1) Fees collected under § 20-7-140;

(2) Money obtained from federal grants or other sources that are designated to be credited to the fund;

(3) Gifts, grants, and other moneys both public and private; and

(4) Any other revenues as may be authorized by law.

(c) The fund shall be used by the University of Arkansas for Medical Sciences for expenses of the Arkansas Breast Milk Bank.

APPROVED: 3/2/21