

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

SENATE BILL 205

By: Senator Hickey

For An Act To Be Entitled

AN ACT TO AMEND ARKANSAS LAW TO REQUIRE THE REPORTING OF EXPENDITURES, TRANSFERS, AGREED-UPON COMMITMENTS, OR OTHER OBLIGATIONS OF FUNDS FROM THE RAINY DAY FUND; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND ARKANSAS LAW TO REQUIRE THE REPORTING OF EXPENDITURES, TRANSFERS, AGREED-UPON COMMITMENTS, OR OTHER OBLIGATIONS OF FUNDS FROM THE RAINY DAY FUND; AND TO DECLARE AN EMERGENCY.

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

SECTION 1. TEMPORARY LANGUAGE. DO NOT CODIFY. Reporting of expenditures, transfers, agreed-upon commitments, or other obligations of funds from Rainy Day Fund.

(a)(1) In order to maintain transparency of the use of state funds, an expenditure, transfer, agreed-upon commitment, or other obligation of funds from the Rainy Day Fund shall be reported by the Chief Fiscal Officer of the State to the cochairs of the:

(A) Legislative Council; or

(B) Joint Budget Committee, if the General Assembly is in regular, fiscal, or extraordinary session.

(2) Upon receipt of a report under subdivision (a)(1) of this section, the cochairs of the Legislative Council or the Joint Budget



Committee shall promptly distribute the report to the full membership of the Legislative Council or the Joint Budget Committee.

(b) A report under subdivision (a)(1) of this section shall include without limitation:

(1) The amount or anticipated amount of the expenditure, transfer, agreed-upon commitment, or other obligation of funds;

(2) The agency or other institution of state government receiving the expenditure, transfer, agreed-upon commitment, or other obligation of funds;

(3) The purpose of the expenditure, transfer, agreed-upon commitment, or other obligation of funds; and

(4) Any other information requested by the Legislative Council or the Joint Budget Committee.

(c)(1) The Chief Fiscal Officer of the State shall report all expenditures, transfers, agreed-upon commitments, or other obligations of funds from the fund occurring from January 11, 2021, until the effective date of this act in the manner provided under subsections (a) and (b) of this section within one (1) day of the effective date of this act.

(2) Expenditures, transfers, agreed-upon commitments, or other obligations of funds from the fund on and after the effective date of this act shall be reported in the manner provided under subsections (a) and (b) of this section within one (1) day of the expenditure, transfer, agreed-upon commitment, or other obligations of funds.

(d) This section is supplemental to any other provisions of law applicable to the transfer, appropriation, or reporting of funds under § 19-5-1262.

SECTION 2. EXPIRATION DATE. This act expires on the thirty-first day following the sine die adjournment of the regular session of the Ninety-Third General Assembly.

SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that transparency regarding the use of public funds is fundamental to the effective operation of state government and maintains the public peace, health, and safety by allowing lawmakers and the citizens of this state to ensure that public funds are spent

appropriately and in a manner that serves the needs of the citizens of this state; that this act provides for transparency in the use of funds from the Rainy Day Fund; and that this act should become effective at the earliest opportunity to protect the public peace, health, and safety by allowing for prompt transparency regarding any transfers from the Rainy Day Fund and to provide lawmakers and the citizens of this state critical information regarding those transfers. 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:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

APPROVED: 3/8/21