

State of Arkansas
94th General Assembly
Fiscal Session, 2024

A Bill

SENATE BILL 64

By: Senator J. Payton

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION TO REDUCE MATERNAL AND INFANT MORTALITY BY MAKING AN APPROPRIATION FOR PREGNANCY HELP ORGANIZATION GRANTS FOR THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR THE FISCAL YEAR ENDING JUNE 30, 2025; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER APPROPRIATION FOR THE 2024-2025 FISCAL YEAR.

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

SECTION 1. APPROPRIATION - PREGNANCY HELP ORGANIZATION GRANTS. There is hereby appropriated, to the Department of Finance and Administration - Disbursing Officer, to be payable from the Miscellaneous Agencies Fund Account, for grants for the Pregnancy Help Organizations for the fiscal year ending June 30, 2025, the following:

ITEM NO.	FISCAL YEAR
(01) PREGNANCY HELP ORGANIZATION GRANTS	2024-2025
	<u>\$2,000,000</u>

SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING



TRANSFER. (i) Immediately upon the effective date of this Section, the Chief Fiscal Officer of the State shall transfer on his or her books and those of the State Treasurer and the Auditor of the State the sum of two million dollars (\$2,000,000) from the General Revenue Allotment Reserve Fund to the Pregnancy Help Organization Grant Sub-Fund in the Miscellaneous Agencies Fund Account to provide funding exclusively for the Pregnancy Help Organization Grants Appropriation in Section 1 in this Act to be distributed as set out in Pregnancy Help Organization Grants Special Language Section of this Act.

(ii) Any funds not expended in the Pregnancy Help Organization Grant Sub-Fund in the Miscellaneous Agencies Fund Account as established in subsection (i) herein after June 30, 2025 shall be transferred to the General Revenue Allotment Reserve Fund.

SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
PREGNANCY HELP ORGANIZATION GRANTS.

(a)(1) As used in this section, "pregnancy help organization" means a nonprofit corporation or an organization exempt from federal income tax, existing as of January 1, 2024, that:

(A) Seeks to provide a range of services to individuals facing an unintended pregnancy with the intention of encouraging pregnant women to give birth to their unborn children;

(B) Promotes infant and maternal wellness and/or reduces infant and maternal mortality, by:

i) Providing nutritional information and/or nutritional counseling;

ii) Providing prenatal vitamins;

iii) Providing a list of prenatal medical care options;

iv) Providing social, emotional, and/or material support; or

v) Providing referrals for WIC and community-based nutritional services, including but not limited to food banks, food pantries, and food distribution centers; and

(C) Does not perform, prescribe, provide referrals for, or encourage abortion or affiliate with any organization that performs, prescribes, provides referrals for, or encourages abortion.

(2) As used in this section, a "pregnancy help organization" includes without limitation:

- (A) Organizations traditionally known as "crisis pregnancy organizations";
(B) Maternity homes;
(C) Adoption agencies; and
(D) Social services agencies that provide material support and other assistance to individuals facing an unintended pregnancy to help those individuals give birth to their unborn children.
- (b)(1) The Department of Finance and Administration shall create a grant program to provide funding to pregnancy help organizations.
- (2) Grant funds shall be disbursed directly to the pregnancy help organizations from the Department of Finance and Administration.
- (c)(1) The department shall promulgate rules to implement the disbursement of the grant moneys from the Pregnancy Help Organization Grant Sub-Fund in the Miscellaneous Agencies Fund Account.
- (2) The rules shall include:
- (A) A requirement that the entity requesting the grant monies submit a plan describing how the entity will spend the grant moneys; and
- (B) A statement that the funds shall not be disbursed all at once, but in increments in accordance with the plan described in subdivision (c)(2)(A) of this section.
- (d) The provisions of this section shall be in effect only from July 1, 2024, through June 30, 2025.

SECTION 4. 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 5. 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 6. 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, 2024 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, 2024 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, 2024.

APPROVED: 4/30/24