

State of Arkansas
94th General Assembly
Fiscal Session, 2024

As Engrossed: H4/30/24
A Bill

HOUSE BILL 1097

By: Representative Jean
By: Senator J. Dismang

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; TO DECLARE AN
EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

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

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 § 19-5-1264 is amended to read as follows:
19-5-1264. Arkansas River Navigation System 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 "Arkansas River Navigation System Fund".

(b) The fund shall consist of:

- ~~(1) The taxes and penalties described in § 26-26-1616(d)(2);~~
- ~~(2)(1)~~ Grants made by any person or federal government agency;
- ~~(3)(2)~~ Any remaining fund balances carried forward from year to



year; and

~~(4)~~(3) Any other funds authorized or provided by law.

(c) The fund shall be used by the Arkansas Waterways Commission to develop, improve, and expand river transportation resources within the portion of the McClellan-Kerr Arkansas River Navigation System located in the State of Arkansas.

SECTION 3. Arkansas Code § 19-5-307 is amended to read as follows:
19-5-307. Public Health Fund.

(a) The Public Health Fund shall be used for the maintenance, operation, and improvement required by the regional health centers and the various divisions of the Department of Health in carrying out the powers, functions, and duties as set out in § 20-7-102 et seq. or other duties imposed by law upon:

- (1) The Department of Health;
- (2) The Secretary of the Department of Health;
- (3) The State Board of Health; and

(4) The Secretary of the State Board of Health, or the State Health Officer, whose office was transferred under § 25-9-101 [repealed] to the Department of Health; ~~and~~

~~(5) The State Cancer Commission, which was transferred to the Department of Health by § 25-9-101 [repealed].~~

(b) The Public Health Fund shall consist of:

(1) Those special revenues as set out in § 19-6-301(41), (65), (68), (69), (80), (97), (131), ~~(132)~~, (133), (136), (137), (140), (141), (142), (143), (144), (147), (155), (166), (177), (194), (204), ~~(205)~~, ~~(250)~~, and that portion of § 19-6-301(58) of the Revenue Classification Law, § 19-6-101 et seq.;

(2) General revenues as may be provided by law;

(3) Nonrevenue income derived from services provided by the various divisions of the Department of Health;

(4) Federal reimbursement received on account of eligible expenditures by the various divisions of the Department of Health;

(5) Other funds as may be provided by law;

(6) Moneys transferred or deposited from the State Administration of Justice Fund to support alcoholism treatment programs and

for use in the drug abuse prevention and treatment program of the Division of Aging, Adult, and Behavioral Health Services of the Department of Human Services;

(7) Amusement machine revenues over thirty thousand dollars (\$30,000), as set out in § 26-57-407; and

(8) Criminal, civil, and administrative penalties collected under the Arkansas Lead-Based Paint-Hazard Act of 2011, § 20-27-2501 et seq.

SECTION 4. Arkansas Code § 19-6-404 is amended to read as follows:

19-6-404. Division of Arkansas State Police Fund.

The Division of Arkansas State Police Fund shall consist of:

(1) Those special revenues as specified in § 19-6-301(1), ~~(5)~~, (7), (8), (38)-(40), (94), (150), (168), (175), (184)-(186), (190), (218)-(220), (222), (226), (227), (234), (252), and (270);

(2) Moneys transferred or deposited from the State Administration of Justice Fund;

(3) Those general revenues as may be provided by law, there to be used for the maintenance, operation, and improvement of the Division of Arkansas State Police in carrying out the functions, powers, and duties as stated in § 12-8-106 or other duties imposed by law upon the division;

(4) Any revenues credited to the Division of Arkansas State Police Fund under the Division of Arkansas State Police Headquarters Facilities and Equipment Financing Act, § 12-8-601 et seq.; and

(5) Federal reimbursements received for eligible expenditures by the various programs of the division made payable from the Division of Arkansas State Police Fund.

SECTION 5. Arkansas Code § 19-6-405(2), concerning special revenues of the State Highway and Transportation Department Fund, is amended to read as follows:

(2) Those special revenues specified in § 19-6-301(10), (152), (187), and (239), ~~and (241)~~;

SECTION 6. *DO NOT CODIFY. Uncodified Acts 2023, No. 561, § 3(a)(4)(A), concerning transfers to Restricted Reserve Fund Set-Asides, is amended to read as follows:*

(4)(A) Infrastructure ~~Investment and Jobs Act~~ Grants Matching Set-Aside, for transfers from time to time as determined by the Chief Fiscal Officer of the State, as authorized in 19-5-1263 (c), to provide matching funds for the Infrastructure Investment and Jobs Act, the Inflation Reduction Act, the CHIPS Act, and other infrastructure and capital projects that are majority federally funded, in a sum not to exceed \$200,000,000;

SECTION 7. Arkansas Code 19-5-401 is amended to read as follows:

19-5-401. Allocations for fiscal year 2024-2025 and thereafter. Commencing with the fiscal year beginning July 1, 2024, 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 2024, 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).

SECTION 8. Arkansas Code 19-5-402 is amended to read as follows:

19-5-402. Maximum allocations of revenues for fiscal year 2024-2025 and thereafter.
(a) ALLOCATION 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 six billion three hundred eleven million four hundred sixty thousand five hundred sixty-six dollars (\$6,311,460,566) 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) Division of Elementary and Secondary Education
 - Public School Fund Account \$2,443,582,431
- (2) State Library Public School Fund Account \$ 5,641,919
- (3) Division of Career and Technical Education Public

<i>School Fund Account</i>	\$	26,883,872
(4) <i>Division of Career and Technical Education Public School Fund Account - Adult Education</i>	\$	8,489,176

GENERAL EDUCATION FUND

(1) <i>Division of Elementary and Secondary Education Fund Account</i>	\$	18,282,199
(2) <i>Division of Elementary and Secondary Education Fund Account - Succeed Scholarship</i>	\$	-
(3) <i>Educational Facilities Partnership Fund Account</i>	\$	-
(4) <i>Division of Public School Academic Facilities and Transportation Fund Account</i>	\$	2,857,204
(5) <i>Educational Television Fund Account</i>	\$	5,825,736
(6) <i>School for the Blind Fund Account</i>	\$	8,218,836
(7) <i>School for the Deaf Fund Account</i>	\$	11,812,933
(8) <i>State Library Fund Account</i>	\$	3,859,435
(9) <i>Division of Career and Technical Education Fund Account</i>	\$	-
(10) <i>Rehabilitation Services Fund Account</i>	\$	11,942,101
(11) <i>Child Care Grant Fund Account</i>	\$	7,056,193
(12) <i>Child Care and Early Childhood Education Fund Account</i>	\$	2,589,553
<i>Technical Institutes:</i>		
(13) <i>Northwest Technical Institute Fund Account</i>	\$	3,308,152

DEPARTMENT OF HUMAN SERVICES FUND

(1) <i>Department of Human Services Administration Fund Account</i>	\$	24,518,586
(2) <i>Children and Family Services Fund Account</i>		139,333,393
(3) <i>Youth Services Fund Account</i>		48,980,104
(4) <i>Developmental Disabilities Services Fund Account</i>		65,603,057
(5) <i>Medical Services Fund Account</i>		2,442,596
(6) <i>Department of Human Services Grants Fund Account</i>		1,389,725,705
(7) <i>Behavioral Health Services Fund Account</i>		103,643,589
(8) <i>Provider Services and Quality Assurance Fund Account</i>		5,515,977

(9) County Operations Fund Account	57,419,886
<i>STATE GENERAL GOVERNMENT FUND</i>	
(1) Division of Arkansas Heritage Fund Account	\$ 7,755,838
(2) Department of Agriculture Fund Account	19,479,187
(3) Department of Labor and Licensing Fund Account	3,909,567
(4) Division of Higher Education Fund Account	11,989,758
(5) Higher Education Grants Fund Account	40,619,625
(6) Arkansas Economic Development Commission Fund Account	21,339,734
(7) Division of Correction Inmate Care and Custody Fund Account	434,873,587
(8) Division of Community Correction Fund Account	105,311,074
(9) Department of the Military Fund Account	10,109,327
(10) Parks and Tourism Fund Account	22,082,257
(11) Division of Environmental Quality Fund Account	4,202,841
(12) Miscellaneous Agencies Fund Account	78,026,413
<i>COUNTY AID FUND</i>	\$ 21,428,616
<i>COUNTY JAIL REIMBURSEMENT FUND</i>	\$ 25,765,944
<i>CRIME INFORMATION SYSTEM FUND</i>	\$ 2,186,443
<i>CHILD SUPPORT ENFORCEMENT FUND</i>	\$ 13,288,801
<i>PUBLIC HEALTH FUND</i>	\$ 81,954,072
<i>PERFORMANCE FUND</i>	\$ -
<i>MOTOR VEHICLE ACQUISITION REVOLVING FUND</i>	\$ -
<i>MUNICIPAL AID FUND</i>	\$ 29,372,099
<i>DIVISION OF ARKANSAS STATE POLICE FUND</i>	\$ 92,596,808
<i>DIVISION OF WORKFORCE SERVICES FUND-NEW HIRE REGISTRY</i>	\$ 150,000
<i>DIVISION OF WORKFORCE SERVICES FUND-ADULT EDUCATION</i>	\$ 1,026,253
<i>STATE SERVICES FOR THE BLIND FUND</i>	\$ 1,972,456
<i>SKILLS DEVELOPMENT FUND</i>	\$ 3,608,348
<i>ARKANSAS CHILDREN'S EDUCATIONAL FREEDOM ACCOUNT FUND</i>	\$ 97,487,318
<i>SUSTAINABLE BUILDING MAINTENANCE PROGRAM FOR STATE- SUPPORTED INSTITUTIONS OF HIGHER EDUCATION REVOLVING LOAN FUND</i>	\$ 4,555,985

INSTITUTIONS OF HIGHER EDUCATION

(1) ARKANSAS STATE UNIVERSITY FUND	\$ 62,150,956
(2) ARKANSAS TECH UNIVERSITY FUND	\$ 36,356,050
(3) HENDERSON STATE UNIVERSITY FUND	\$ 18,832,354
(4) SOUTHERN ARKANSAS UNIVERSITY FUND	\$ 16,861,877
(5) UNIVERSITY OF ARKANSAS FUND	\$ 134,584,010
(6) UNIVERSITY OF ARKANSAS FUND-UA SYSTEM	\$ 3,479,474
(7) UNIVERSITY OF ARKANSAS FUND-ARCHEOLOGICAL SURVEY	\$ 2,369,274
(8) UNIVERSITY OF ARKANSAS FUND-DIVISION OF AGRICULTURE	\$ 65,800,138
(9) UNIVERSITY OF ARKANSAS FUND-CLINTON SCHOOL	\$ 2,336,896
(10) UNIVERSITY OF ARKANSAS FUND-CRIMINAL JUSTICE INSTITUTE	\$ 2,458,634
(11) SCHOOL FOR MATH, SCIENCES, AND ARTS FUND	\$ 1,133,048
(12) UNIVERSITY OF ARKANSAS AT FORT SMITH FUND	\$ 21,045,824
(13) UNIVERSITY OF ARKANSAS AT LITTLE ROCK FUND	\$ 60,049,349
(14) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND	\$ 93,012,881
(15) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND - CHILD ABUSE/RAPE/DOMESTIC VIOLENCE	\$ 350,000
(16) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND - PEDIATRICS/PSYCHIATRIC RESEARCH	\$ 1,985,100
(17) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND - INDIGENT CARE	\$ 5,438,340
(18) UNIVERSITY OF ARKANSAS AT MONTICELLO FUND	\$ 16,696,750
(19) UNIVERSITY OF ARKANSAS AT PINE BLUFF FUND	\$ 21,902,693
(20) UNIVERSITY OF ARKANSAS AT PINE BLUFF FUND - 1890 LAND GRANT STATE MATCH	\$ 5,800,000
(21) UNIVERSITY OF CENTRAL ARKANSAS FUND	\$ 56,013,219
(22) ARKANSAS NORTHEASTERN COLLEGE FUND	\$ 8,765,839
(23) ARKANSAS STATE UNIVERSITY - BEEBE FUND	\$ 11,356,380
(24) ARKANSAS STATE UNIVERSITY - MOUNTAIN HOME FUND	\$ 3,695,854
(25) ARKANSAS STATE UNIVERSITY - NEWPORT FUND	\$ 6,559,812
(26) COSSATOT COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS FUND	\$ 3,757,578
(27) EAST ARKANSAS COMMUNITY COLLEGE FUND	\$ 8,749,489

(28) ARKANSAS STATE UNIVERSITY MID-SOUTH FUND	\$	4,013,696
(29) ARKANSAS STATE UNIVERSITY MID-SOUTH FUND - ADTEC	\$	1,527,000
(30) NATIONAL PARK COLLEGE FUND	\$	9,040,569
(31) NORTH ARKANSAS COLLEGE FUND	\$	7,605,726
(32) NORTHWEST ARKANSAS COMMUNITY COLLEGE FUND	\$	11,649,679
(33) PHILLIPS COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS FUND	\$	8,923,812
(34) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT RICH MOUNTAIN FUND	\$	3,546,964
(35) SAU-TECH FUND	\$	5,530,868
(36) SAU-TECH FUND-ENVIRONMENTAL TRAINING ACADEMY	\$	375,036
(37) SAU-TECH FUND-FIRE TRAINING ACADEMY	\$	1,780,943
(38) SOUTH ARKANSAS COLLEGE FUND	\$	6,084,362
(39) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT BATESVILLE FUND	\$	4,406,596
(40) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT HOPE-TEXARKANA FUND	\$	4,647,636
(41) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT MORRILTON FUND	\$	5,089,458
(42) BLACK RIVER TECHNICAL COLLEGE FUND	\$	6,321,306
(43) ARKANSAS STATE UNIVERSITY THREE RIVERS FUND	\$	3,381,360
(44) OZARKA COLLEGE FUND	\$	3,248,284
(45) UNIVERSITY OF ARKANSAS - PULASKI TECHNICAL COLLEGE FUND	\$	14,765,510
(46) SOUTHEAST ARKANSAS COLLEGE FUND	\$	5,354,958

SECTION 9. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DUPLICATE ACTS. If HB1097 and SB80 of the 2024 Fiscal Session of the 94th General Assembly are both enacted and adopted by the 94th General Assembly in identical form, then the last Act passed or latest expression shall supersede the other.

SECTION 10. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that changes in the state's fiscal laws must take effect at the beginning of the fiscal year; and that it is necessary for this act to become effective on July 1, 2024, to avoid a lapse

in critical and essential services that the state government provides to the citizens of this state at the beginning of the next fiscal year. Therefore, an emergency is declared to exist, and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2024.

/s/Jean

APPROVED: 5/3/24