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**B**

# ARKANSAS SENATE

93rd General Assembly - Fiscal Session, 2022

Amendment Form

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Subtitle of House Bill No. 1079

AN ACT FOR THE DEPARTMENT OF HEALTH APPROPRIATION FOR THE 2022-2023 FISCAL YEAR.

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Amendment No. \_\_\_ to House Bill No. 1079

Amend House Bill No. 1079 as originally introduced:

Page 17, insert a new SECTION immediately following SECTION 21 to read as follows:

" SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FINE REFUNDS. (a) The General Assembly finds that:

(1) During the public health emergency starting on March 11, 2020, state agencies fined businesses and collected moneys for violations of a health directive or order under § 20-7-101;

(2) In testimony provided by the Secretary of the Department of Health that the implementation of this directive was not effective;

(3) Studies have shown that fines for violations was not effective;

(4) The health directives or orders failed to provide alternative compliance opportunities for businesses;

(5) The implementation of these fines were arbitrary with state agencies unfairly applying the fines under § 20-7-101;

(6) These fines on businesses negatively impacted small businesses throughout the state as well as the state economy; and

(7) These fines on businesses did not have the desired impact and no Arkansas-based evidence has been provided to indicate that these fines diminished the transmission of coronavirus 2019 (COVID-19).

(b)(1) A state agency, including without limitation the Department of Health and the Alcoholic Beverage Control Division, that fined a business

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Item B page 1

under § 20-7-101 during the public health emergency starting on March 11, 2020, under Executive Order 20-03, and ending on February 28, 2021, under Executive Order 20-53, and any subsequent extensions of the public health emergency for a failure to comply with a rule, order, or directive to mitigate or prevent the spread of coronavirus 2019 (COVID-19) shall return the fines to the businesses that were fined.

(2) A state agency shall return fines on or before June 30, 2022 for the period from March 11, 2020, to February 28, 2021.

(c) A state agency shall not return fines under § 20-7-101 for a failure to comply with a rule, order, or directive to mitigate or prevent the spread of coronavirus 2019 (COVID-19) to the following types of businesses:

- (1) Long-term care facilities, including nursing homes;
- (2) Residential care facilities;
- (3) Assisted living facilities;
- (4) Hospitals;
- (5) Hospice facilities;
- (6) Human development centers; or
- (7) Any other residential entity that houses twenty-five (25) or more people.

(d) A state agency shall continue to collect and keep fines for violations that would have been violations without the public health emergency being in effect.

(e) This section does not apply to any other fines collected by a state agency from March 11, 2020, to February 28, 2022.

(f) The provisions of this section shall be in effect through June 30, 2023."

AND

Delete SECTION 24 in its entirety and substitute the following:

" SECTION 25. EFFECTIVE DATE. Sections 1 - 21, 23 and 24 of this act are effective on and after July 1, 2022.

SECTION 26. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas, that during the public health

emergency starting on March 11, 2020, under Executive Order 20-03, state agencies fined businesses and collected moneys for violations of a health directive or order under § 20-7-101, Section 22 of this act is immediately necessary because the implementation of these fees have been arbitrary with state agencies unfairly applying the fines under § 20-7-101 to smaller businesses over larger businesses; that these fines on businesses have negatively impacted small businesses throughout the state as well as the state economy and have not had the desired impact regarding the public health emergency; and that Section 22 of this act is immediately necessary to protect businesses from unfair penalization and to preserve the public peace, health, and safety by maintaining the state's economy. Therefore, an emergency is hereby declared to exist and Section 22 of this Act being necessary for the immediate 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."

AND

Appropriately renumber the SECTION numbers of the bill.

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_  
By: Joint Budget Committee  
By: Senator D. Sullivan  
MAH/HM - 02-15-2022 10:23:28  
MAH074

\_\_\_\_\_  
Secretary

1 State of Arkansas  
2 93rd General Assembly  
3 Fiscal Session, 2022

# A Bill

HOUSE BILL 1079

4  
5 By: Joint Budget Committee

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF HEALTH  
10 FOR THE FISCAL YEAR ENDING JUNE 30, 2023; AND FOR  
11 OTHER PURPOSES.

## Subtitle

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13  
14 AN ACT FOR THE DEPARTMENT OF HEALTH  
15 APPROPRIATION FOR THE 2022-2023 FISCAL  
16 YEAR.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

21  
22 SECTION 1. REGULAR SALARIES - SHARED SERVICES. There is hereby  
23 established for the Department of Health for the 2022-2023 fiscal year, the  
24 following maximum number of regular employees.

Item	Class	Maximum	Maximum Annual
No.	Code Title	No. of	Salary Rate
			Fiscal Year
			2022-2023
(1)	SC007 SECRETARY OF HEALTH	<u>1</u>	GRADE SE05
	MAX. NO. OF EMPLOYEES	1	

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32  
33 SECTION 2. APPROPRIATION - SHARED SERVICES PAYING ACCOUNT. There is  
34 hereby appropriated, to the Department of Health, to be payable from the  
35 paying account as determined by the Chief Fiscal Officer of the State, for  
36 personal services and operating expenses of the Department of Health - Shared



INSECT  
SECTION  
→

1 date of passage through June 30, 2023.

2  
3 SECTION 22. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
4 authorized by this act shall be limited to the appropriation for such agency  
5 and funds made available by law for the support of such appropriations; and  
6 the restrictions of the State Procurement Law, the General Accounting and  
7 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
8 Procedures and Restrictions Act, or their successors, and other fiscal  
9 control laws of this State, where applicable, and regulations promulgated by  
10 the Department of Finance and Administration, as authorized by law, shall be  
11 strictly complied with in disbursement of said funds.

12  
13 SECTION 23. LEGISLATIVE INTENT. It is the intent of the General  
14 Assembly that any funds disbursed under the authority of the appropriations  
15 contained in this act shall be in compliance with the stated reasons for  
16 which this act was adopted, as evidenced by the Agency Requests, Executive  
17 Recommendations and Legislative Recommendations contained in the budget  
18 manuals prepared by the Department of Finance and Administration, letters, or  
19 summarized oral testimony in the official minutes of the Arkansas Legislative  
20 Council or Joint Budget Committee which relate to its passage and adoption.

DELETE  
AND  
REPLACE  
→

21  
22 SECTION 24. EFFECTIVE DATE. This act is effective on and after July 1,  
23 2022.

# ARKANSAS SENATE

93rd General Assembly - Fiscal Session, 2022

Amendment Form

DRAFT

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Subtitle of Senate Bill No. 45

AN ACT FOR THE DEPARTMENT OF TRANSFORMATION AND SHARED SERVICES APPROPRIATION  
FOR THE 2022-2023 FISCAL YEAR.

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Amendment No. \_\_\_ to Senate Bill No. 45

Amend Senate Bill No. 45 as originally introduced:

Page, 9, immediately following SECTION 13, insert a new SECTION to read as follows:

" SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL, AND TEMPORARY LAW. Statewide contract for savings.

(a) The General Assembly finds that state agencies may be able to operate more efficiently and achieve significant savings by utilizing consultant services for certain procurements and contract negotiations upon which the consultant will be paid based on realized savings.

(b) The State Procurement Director may procure a statewide contract with a consultant for the delivery of services to state agencies that result in delivered cost savings based on cost savings realized between benchmarked costs before the consultant's efforts and the costs after the consultant's efforts.

(c)(1) For a multiyear contract under this section, the cost of the consultant's services for the first year shall not exceed the total savings realized in the first twelve (12) months of the contract.

(2) The payment to a consultant based on realized savings for a multiyear contract under this section may be paid by the respective state agency annually as cost savings are realized.

(d) A recommendation by a consultant for savings under this section

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JAP060 - 02-22-2022 10:31:28

Page 1 of 3

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shall be a valid opportunity within the constraints of the state procurement laws to qualify as a delivery of services under the statewide contract.

(e) This section is effective through June 30, 2023."

AND

Page 9, immediately following section 15, delete SECTION 16 and insert the following new SECTIONS to read as follows:

" SECTION 17. EFFECTIVE DATE. Section 1-13, 15, and 16 are effective on and after July 1, 2022.

SECTION 18. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the state is not currently authorized to contract with a consultant for the purpose of analyzing whether the state can realize savings on certain contracts; that authorizing the State Procurement Director to procure a statewide contract with a consultant to help state agencies identify and realize savings would benefit the state and its residents by helping the state to save money that could be used for other purposes to help preserve the public peace, health, and safety; and that Section 14 of this act is immediately necessary because it is in the best interests of the state to be expeditious in saving money on the state's contracts to maximize the additional funds available to preserve the public peace, health, and safety. Therefore, an emergency is declared to exist, and Section 14 of 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."

AND

Appropriately renumber all SECTION numbers of the bill.



The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_

By: Joint Budget Committee

By: Senator Flippo

JAP/JAP - 02-22-2022 10:31:28

JAP060 Secretary \_\_\_\_\_

1 State of Arkansas  
2 93rd General Assembly  
3 Fiscal Session, 2022  
4

*As Engrossed: S3/1/22*  
**A Bill**

SENATE BILL 45

5 By: Joint Budget Committee  
6

7 **For An Act To Be Entitled**

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF  
10 TRANSFORMATION AND SHARED SERVICES FOR THE FISCAL  
11 YEAR ENDING JUNE 30, 2023; AND FOR OTHER PURPOSES.  
12

13  
14 **Subtitle**

15 AN ACT FOR THE DEPARTMENT OF  
16 TRANSFORMATION AND SHARED SERVICES  
17 APPROPRIATION FOR THE 2022-2023 FISCAL  
18 YEAR.  
19

20  
21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 SECTION 1. REGULAR SALARIES - SECRETARY'S OFFICE. There is hereby  
24 established for the Department of Transformation and Shared Services for the  
25 2022-2023 fiscal year, the following maximum number of regular employees.  
26

Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2022-2023
31	(1)	SC014 SEC OF TRANSFORMATION & SHARED SVCS	1	GRADE SE05
32	(2)	U061U TSS CHIEF OF STAFF	1	GRADE SE03
33	(3)	G307C TSS LEGAL COUNSEL	1	GRADE GS15
34	(4)	R051C TSS STATEWIDE PROGRAM MANAGER	1	GRADE GS13
35	(5)	R028C TSS STATEWIDE PAYROLL SYS SPECIALIST	1	GRADE GS08
36		MAX. NO. OF EMPLOYEES	5	



1	NO.		2022-2023
2	(01)	INFORMATION TECHNOLOGY SERVICES	<u>\$600,000</u>

3

4 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHARED

6 SERVICES. (a)(1) The Chief Fiscal Officer of the State may create a Shared

7 Services paying accounts on his or her books and on the books of the

8 Treasurer of State and the Auditor of State for the payment of personal

9 services and operating expenses in the Shared Services Paying Account

10 Appropriation by the Department of Transformation and Shared Services.

11 (2) The Chief Fiscal Officer of the State shall direct the transfer

12 of funds and appropriations to the Shared Services Paying Account

13 appropriation section of this act on the books of the Treasurer of State, the

14 Auditor of State, and the Chief Fiscal Officer of the State.

15 (3) The transfer authority provided to the department in

16 subdivision (a)(2) of this section may be used to make transfers only within

17 the department's appropriation act or between other appropriation acts

18 authorized for the department.

19 (4) The provisions of this section shall be in effect from the date of

20 passage through June 30, 2023.

INSERT  
SECTION →

21

22 SECTION 15. COMPLIANCE WITH OTHER LAWS. Disbursement of funds

23 authorized by this act shall be limited to the appropriation for such agency

24 and funds made available by law for the support of such appropriations; and

25 the restrictions of the State Procurement Law, the General Accounting and

26 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary

27 Procedures and Restrictions Act, or their successors, and other fiscal

28 control laws of this State, where applicable, and regulations promulgated by

29 the Department of Finance and Administration, as authorized by law, shall be

30 strictly complied with in disbursement of said funds.

31

32 SECTION 16. LEGISLATIVE INTENT. It is the intent of the General

33 Assembly that any funds disbursed under the authority of the appropriations

34 contained in this act shall be in compliance with the stated reasons for

35 which this act was adopted, as evidenced by the Agency Requests, Executive

36 Recommendations and Legislative Recommendations contained in the budget

1 manuals prepared by the Department of Finance and Administration, letters, or  
2 summarized oral testimony in the official minutes of the Arkansas Legislative  
3 Council or Joint Budget Committee which relate to its passage and adoption.

DELETE  
AND  
REPLACE

4  
5 SECTION 17. EFFECTIVE DATE. This act is effective on and after July 1,  
6 2022.

7  
8 */s/Joint Budget Committee*  
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**ARKANSAS SENATE**  
93rd General Assembly - Fiscal Session, 2022  
**Amendment Form**

**DRAFT**

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**Subtitle of Senate Bill No. 67**

AN ACT FOR THE DEPARTMENT OF COMMERCE APPROPRIATION FOR THE 2022-2023 FISCAL YEAR.

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**Amendment No. \_\_\_\_ to Senate Bill No. 67**

Amend Senate Bill No. 67 as originally introduced:

Page 19, line 6, delete "foreign offices." and substitute the following:  
"foreign offices. The commission shall not allocate, budget, or expend funds for contractual services with a private or public company, corporation, individual, or organization for the operation of an office in China."

**DRAFT**

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_

By: Joint Budget Committee

By: Senator B. Ballinger

MAH/HM - 02-22-2022 09:48:12

MAH080

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\_\_\_\_\_  
Secretary

1 State of Arkansas  
2 93rd General Assembly  
3 Fiscal Session, 2022

# A Bill

SENATE BILL 67

4  
5 By: Joint Budget Committee

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF COMMERCE  
10 FOR THE FISCAL YEAR ENDING JUNE 30, 2023; AND FOR  
11 OTHER PURPOSES.

## Subtitle

12  
13  
14 AN ACT FOR THE DEPARTMENT OF COMMERCE  
15 APPROPRIATION FOR THE 2022-2023 FISCAL  
16 YEAR.  
17

18  
19  
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

21  
22 SECTION 1. REGULAR SALARIES - SHARED SERVICES. There is hereby  
23 established for the Department of Commerce for the 2022-2023 fiscal year, the  
24 following maximum number of regular employees.

Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2022-2023
30	(1)	SC002 ACOM SECRETARY OF COMMERCE	1	GRADE SE05
31	(2)	U063U ACOM CHIEF INFORMATION OFFICER	1	GRADE SE01
32	(3)	N215N ACOM CHIEF OF STAFF	1	GRADE SE01
33	(4)	D012C DATABASE SPECIALIST	1	GRADE IT08
34	(5)	D007C INFORMATION SYSTEMS MANAGER	2	GRADE IT08
35	(6)	D054C COMPUTER SUPPORT COORDINATOR	1	GRADE IT05
36	(7)	D063C COMPUTER SUPPORT SPECIALIST	1	GRADE IT05



1 other line item authorized in the State Operations Section of this Act.

2 Determining the maximum number of employees and the maximum amount of  
3 appropriation and general revenue funding for a state agency each fiscal year  
4 is the prerogative of the General Assembly. This is usually accomplished by  
5 delineating such maximums in the appropriation act(s) for a state agency and  
6 the general revenue allocations authorized for each fund and fund account by  
7 amendment to the Revenue Stabilization Law. Further, the General Assembly  
8 has determined that the Arkansas Economic Development Commission may operate  
9 more efficiently if some flexibility is provided to the Arkansas Economic  
10 Development Commission authorizing broad powers under this  
11 Section. Therefore, it is both necessary and appropriate that the General  
12 Assembly maintain oversight by requiring prior review of the Legislative  
13 Council or Joint Budget Committee as provided by this section. The  
14 requirement of review by the Legislative Council or Joint Budget Committee is  
15 not a severable part of this section. If the requirement of review by the  
16 Legislative Council or Joint Budget Committee is ruled unconstitutional by a  
17 court of competent jurisdiction, this entire section is void.

18 The provisions of this section shall be in effect only from July 1,  
19 ~~2021~~ 2022 through June 30, ~~2022~~ 2023.

20  
21 SECTION 35. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INDUSTRY  
23 TRAINING PROGRAM EXPENSES. The Arkansas Economic Development Commission  
24 (AEDC) may utilize Industry Training Program (ITP) appropriation and funds  
25 for personal services, operating expenses, grants and aid, capital  
26 acquisition, and other appropriate purposes to provide industry-specific  
27 training opportunities. AEDC shall submit a quarterly report of industry  
28 training activities to the Governor and the Legislative Council or Joint  
29 Budget Committee.

30 The provisions of this section shall be effect only from July 1, ~~2021~~  
31 2022 through July 1, ~~2022~~ 2023.

INSERT  
LANGUAGE  
IN THIS  
SECTION

32  
33 SECTION 36 SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FOREIGN  
35 OFFICE OPERATIONS. The Arkansas Economic Development Commission is hereby  
36 authorized to enter into contractual arrangements with private and/or public

1 companies, corporations, individuals or organizations for the purpose of  
 2 operating foreign offices. Arkansas Code 15-4-210 shall not be deemed  
 3 restrictive in its language so as to preclude the use of standard  
 4 Professional Services Contracts for the operation of the foreign offices  
 5 and/or payment of such contracts from the special line items as established  
 6 by legislative appropriation for the operation of said foreign offices.

7 The provisions of this section shall be in effect only from July 1, ~~2021~~  
 8 2022 through June 30, ~~2022~~ 2023.

9

10 SECTION 37. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. RURAL  
 12 DEVELOPMENT. From the funds appropriated for Community Development Grants  
 13 within the Community Development Program in this Act for Community Assistance  
 14 (CDBG)- Federal, the Arkansas Economic Development Commission (AEDC) shall  
 15 allocate at least \$500,000 per fiscal year to the Rural Development Set-Aside  
 16 from the annual Community Development Block Grant, as defined in AEDC's  
 17 Consolidated Plan filed with the federal Department of Housing and Urban  
 18 Development. Funds allocated to the Rural Development Set-Aside are to be  
 19 used exclusively for grants to rural communities as defined in the  
 20 Consolidated Plan.

21 The provisions of this section shall be in effect only from July 1, ~~2021~~  
 22 2022 through June 30, ~~2022~~ 2023.

23

24 SECTION 38. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANT  
 26 REVIEW. The Arkansas Economic Development Commission (AEDC) shall review all  
 27 applications for grant funds and shall certify those applications eligible  
 28 for grant funds under AEDC and federal guidelines. The Rural Services  
 29 Division of the Arkansas Economic Development Commission alone shall  
 30 recommend which grant applications will be funded, and AEDC shall disburse  
 31 grant funds from the Rural Development Set-Aside to those applicants  
 32 receiving final approval by the Rural Services Division of the Arkansas  
 33 Economic Development Commission. AEDC and the Rural Services Division of the  
 34 Arkansas Economic Development Commission shall promulgate rules and  
 35 regulations governing the application for and disbursement of grant funds  
 36 from the Rural Development Set-Aside, and an annual report of the disposition