

**Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.**

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001  
4

*As Engrossed: S1/11/01*

# A Bill

SENATE BILL 37

5 By: Senators Wilkinson, Gwatney, P. Malone  
6 By: Representatives Files, Glover, and McMellon  
7

## For An Act To Be Entitled

10 AN ACT TO REPEAL THE BANK DEPARTMENT FUND AND CREATE  
11 THE BANK DEPARTMENT TRUST FUND; AND FOR OTHER  
12 PURPOSES.  
13  
14

### Subtitle

15 AN ACT TO REPEAL THE BANK DEPARTMENT  
16 FUND AND CREATE THE BANK DEPARTMENT  
17 TRUST FUND.  
18  
19  
20

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

23 SECTION 1. Title 19, Chapter 5, Subchapter 11 is amended to add an  
24 additional section to read as follows:

25 19-5-1110. Bank Department Trust Fund.

26 (a) There is hereby created on the books of the Treasurer of State, the  
27 Audi tor of State, and the Chi ef Fi scal Offi cer of the State a trust fund to be  
28 known as the Bank Department Trust Fund.

29 (b) Thi s fund shall consi st of:

30 (1) The balances of the Bank Department Fund on the effective  
31 date of thi s act, and

32 (2) The interest income, fee and assessment income, and all other  
33 income of the State Bank Department.

34 (c) The Bank Department Trust Fund shall be used solely for the  
35 maintenance, operation, and improvements required by the State Bank Department  
36 in carrying out the functions, powers, and duties as set out in The Arkansas

1 Banking Code of 1997, as now or hereafter amended, and any other duties  
2 imposed by law upon the department.

3  
4 SECTION 2. Arkansas Code 19-6-301(28) and (29), which categorize  
5 certain revenues as special revenues, are repealed:

6 ~~(28) Bank department charter fees, assessments, and examination fees,~~  
7 ~~as enacted by Act 113 of 1913, and all laws amendatory thereto, §§ 16-110-406,~~  
8 ~~23-30-101, 23-31-201, 23-31-205, 23-31-212, 23-31-215, 23-32-102, 23-32-201~~  
9 ~~—23-32-204, 23-32-208, 23-32-210, 23-32-216, 23-32-222, 23-32-224, 23-32-225,~~  
10 ~~23-32-227, 23-32-228, 23-32-701, 23-32-703, 23-32-705, 23-32-710, 23-32-713,~~  
11 ~~23-32-716, 23-32-803, 23-32-905, 23-32-1001, 23-32-1002, 23-32-1006, 23-32-~~  
12 ~~1008, 23-32-1101, 23-32-1103, 23-32-1106, 23-32-1108, 23-32-1111, 23-33-101~~  
13 ~~—23-33-103, 23-33-105, 23-33-106, 23-33-201, 23-33-207, 23-33-212, 23-33-~~  
14 ~~213, 23-33-301, 23-33-308, 23-33-310, 23-34-101, 23-34-103, 23-34-105, 23-34-~~  
15 ~~106, 23-34-108, 23-34-110, and 23-34-111 [see Publisher Note];~~

16 ~~(29) Industrial loan institutions assessments and examination fees, as~~  
17 ~~enacted by Act 111 of 1941, §§ 23-36-101, 23-36-117;~~

18  
19 SECTION 3. Arkansas Code 19-6-412 is repealed:

20 ~~19-6-412. Bank Department Fund.~~

21 ~~The Bank Department Fund shall consist of those special revenues as set~~  
22 ~~out in subdivisions (28), (29), and (30) of § 19-6-301, there to be used for~~  
23 ~~the maintenance, operation, and improvement required by the State Bank~~  
24 ~~Department in carrying out the functions, powers, and duties as set out in §~~  
25 ~~23-31-201 et seq. [repealed], or other duties imposed by law upon the~~  
26 ~~department.~~

27  
28 SECTION 4. Arkansas Code 23-46-209(b), pertaining to the State Bank  
29 Department, is amended to read as follows:

30 (b) All fees and other revenues received by the department shall be  
31 deposited into the State Treasury as ~~special revenues~~ and credited to the ~~Bank~~  
32 ~~Department Fund~~ Bank Department Trust Fund to be used solely for the payment  
33 of the expenses of the department pursuant to the appropriations therefor.

34  
35 SECTION 5. EMERGENCY CLAUSE. It is hereby found and determined by the  
36 Eighty-third General Assembly, that this act must go into effect on the date

1 the biennial appropriation for the State Bank Department goes into effect,  
2 which is July 1, 2001, because this act creates the fund from which the  
3 appropriation is made. Therefore, an emergency is hereby declared to exist and  
4 this act being necessary for the immediate preservation of the public peace,  
5 health and safety shall be in full force and effect from and after July 1,  
6 2001.

7 */s/ Wilkinson*