

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 84th General Assembly  
3 Regular Session, 2003  
4

# A Bill

HOUSE BILL 1039

5 By: Representative Hutchinson  
6  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND THE ARKANSAS CODE TO CREATE AN  
10 INCOME TAX RETURN CHECKOFF FOR THE ARKANSAS  
11 CHILDREN'S CATASTROPHIC ILLNESS GRANT PROGRAM  
12 TRUST FUND; TO CREATE THE ARKANSAS CHILDREN'S  
13 CATASTROPHIC ILLNESS GRANT PROGRAM TRUST FUND; TO  
14 CREATE THE ARKANSAS CHILDREN'S CATASTROPHIC  
15 ILLNESS GRANT PROGRAM; AND FOR OTHER PURPOSES.  
16

## Subtitle

17 TO CREATE THE ARKANSAS CHILDREN'S  
18 CATASTROPHIC ILLNESS GRANT PROGRAM AND  
19 AN INCOME TAX RETURN CHECKOFF PROGRAM TO  
20 FUND IT.  
21  
22  
23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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26 SECTION 1. Arkansas Code Title 26, Chapter 35, is amended to add an  
27 additional subchapter to read as follows:

28 26-35-1201. Creation.

29 The Revenue Division of the Department of Finance and Administration  
30 shall include on the Arkansas individual income tax forms, including those  
31 forms on which a husband and wife file separately on the same form and on all  
32 corporate income tax forms, a designation as follows:

33 (1) If you are entitled to a refund, check if you wish to  
34 designate [ ] \$1, [ ] \$5, [ ] \$10, [ ] \$20, [ ] \$ write in amount), or [ ]  
35 all refund due, of your tax refund for the Arkansas Children's Catastrophic  
36 Illness Grant Program Trust Fund. Your refund will be reduced by this



1 amount.

2 (2) If you owe an additional amount, check if you wish to  
3 contribute an additional [ ] \$1, [ ] \$5, [ ] \$10, [ ] \$20, [ ] \$ (write in  
4 amount) for the Arkansas Children’s Catastrophic Illness Grant Program Trust  
5 Fund. If you wish to make a contribution to the fund you must enclose a  
6 separate check for the amount of your contribution, payable to the Arkansas  
7 Children’s Catastrophic Illness Grant Program Trust Fund.

8

9 26-35-1202. Administration.

10 (a) The Director of the Department of Finance and Administration may:

11 (1) Accept any gifts, grants, bequests, devises, and donations  
12 made to the State of Arkansas for the purposes of funding the Arkansas  
13 Children’s Catastrophic Illness Grant Program Trust Fund; and

14 (2) Deposit any gifts, grants, bequests, devises, and donations  
15 so received into the Arkansas Children’s Catastrophic Illness Grant Program  
16 Trust Fund.

17 (b) The Department of Finance and Administration shall quarterly  
18 certify to the State Treasurer the amount contributed to the fund through  
19 this state income tax checkoff during the quarter as authorized by this  
20 subchapter, and the State Treasurer shall deduct from the Income Tax  
21 Withholding Fund the amount so certified.

22 (c) The Director of the Department of Finance and Administration shall  
23 promulgate all rules and regulations and all income tax forms, returns, and  
24 schedules necessary to carry out the revenue producing provisions of this  
25 subchapter.

26 (d) The gifts, grants, bequests, devises, and donations made under  
27 this subchapter shall be used together with any other funds appropriated for  
28 funding the Arkansas Children’s Catastrophic Illness Grant Program Trust  
29 Fund.

30 (e) The Director of the Department of Human Services shall promulgate  
31 all rules and regulations necessary for implementing the grant program for  
32 the fund.

33

34 26-35-1203. Effective dates.

35 (a) The Arkansas Children’s Catastrophic Illness Grant Program Trust  
36 Fund checkoff on state income tax returns shall be effective for tax years

1 beginning on or after January 1, 2003.

2 (b) The provisions of this subchapter allowing the Director of the  
 3 Department of Finance and Administration to accept gifts, grants, bequests,  
 4 devises, and donations shall be effective on August 1, 2003.

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 6 SECTION 2. Arkansas Code Title 19, Chapter 5, Subchapter 11 is amended  
 7 to add an additional section to read as follows:

8 19-5-1123. Arkansas Children’s Catastrophic Illness Grant Program  
 9 Trust Fund.

10 (a) There is created on the books of the Treasurer of State, Auditor  
 11 of State, and Chief Fiscal Officer of the State a trust fund to be known as  
 12 the “Arkansas Children’s Catastrophic Illness Grant Program Trust Fund.”

13 (b)(1) All moneys collected under § 26-35-1201 shall be deposited into  
 14 the State Treasury to the credit of the fund.

15 (2) The fund shall also consist of any other revenues as may be  
 16 authorized by law.

17 (c) The fund shall be used exclusively by the Department of Human  
 18 Services to assist with the medical expenses incurred by the families of  
 19 children with catastrophic illnesses or injuries by awarding grants to the  
 20 families who are liable for the medical expenses.

21 (d) The Treasurer of State shall credit to the fund the amount  
 22 certified each quarter in accordance with § 26-35-1202.

23 (e)(1) The moneys credited to the fund shall be held as trust funds in  
 24 interest-bearing accounts only.

25 (2) All interest earned shall be credited to the fund and shall  
 26 be used only for the purposes of the fund.

27 (f) All moneys deposited into the fund and all interest earned on  
 28 deposits and the fund balance in the fund may be disbursed as appropriated in  
 29 each fiscal year of the biennium for the Arkansas Children’s Catastrophic  
 30 Illness Grant Program.

31  
 32 SECTION 3. (a) The Department of Human Services shall use funds from  
 33 the Arkansas Children’s Catastrophic Illness Grant Program Trust Fund to  
 34 establish the Arkansas Children’s Catastrophic Illness Grant Program.

35 (b) The department shall promulgate rules and regulations to create a  
 36 grant program that assists families of children with catastrophic illnesses

1 or injuries with medical expenses for which the families are liable.

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