

By: Representative D. Hutchinson

## **HOUSE CONCURRENT RESOLUTION**

TO AUTHORIZE THE INTRODUCTION OF A NONAPPROPRIATION  
BILL CONCERNING ACTIONS BY STATE AGENCIES DUE TO A  
SHORTAGE OR REDUCTION OF FUNDS; AND FOR OTHER  
PURPOSES.

### **Subtitle**

TO AUTHORIZE THE INTRODUCTION OF A  
NONAPPROPRIATION BILL CONCERNING ACTIONS  
BY STATE AGENCIES DUE TO A SHORTAGE OR  
REDUCTION OF FUNDS.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-EIGHTH GENERAL  
ASSEMBLY OF THE STATE OF ARKANSAS, THE SENATE CONCURRING THEREIN:

THAT Representative Hutchinson is authorized to introduce a bill which,  
as introduced, will read substantially as follows:

"For An Act To Be Entitled  
AN ACT CONCERNING ACTIONS BY STATE AGENCIES DUE TO A SHORTAGE OR REDUCTION OF  
FUNDS; AND FOR OTHER PURPOSES.

### Subtitle

AN ACT CONCERNING ACTIONS BY STATE AGENCIES DUE TO A SHORTAGE OR REDUCTION OF  
FUNDS.



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

SECTION 1. Arkansas Code Title 25, Chapter 16 is amended to add an additional subchapter to read as follows:

SUBCHAPTER 12 – STATE AGENCY ACTIONS DUE TO A SHORTAGE OR REDUCTION OF FUNDS

25-16-1201. Employment decisions by state agencies due to a shortage or reduction of funds.

(a) As used in this section:

(1) "Public safety function" includes without limitation service as a firefighter; and

(2) "State agency" means:

(A) The Arkansas Agriculture Department, including without limitation the Arkansas Forestry Commission;

(B) The Arkansas Department of Environmental Quality;

(C) The Arkansas Public Defender Commission;

(D) The Arkansas Public Service Commission;

(E) The Arkansas State Highway and Transportation Department;

(F) The Department of Arkansas Heritage;

(G) The Department of Career Education, including without limitation Arkansas Rehabilitation Services;

(H) The Department of Community Correction;

(I) The Department of Correction;

(J) The Department of Education;

(K) The Department of Finance and Administration;

(L) The Department of Health;

(M) The Department of Human Services;

(N) The Department of Information Systems;

(O) The Department of Parks and Tourism;

(P) The Department of Workforce Services;

(Q) The State Crime Laboratory;

(R) The State Department for Social Security Administration Disability Determination;

(S) The State Insurance Department;

- (T) A state-supported institution of higher education; and
- (U) The Workers' Compensation Commission.

(b) If a state agency elects to terminate employees or eliminate employment positions due to a shortage or reduction of funds available to the state agency:

(1) At least one-half (1/2) of the terminated employees shall be from management positions that do not interact with the public or provide a public safety function as a primary function of the employment; and

(2) At least one-half (1/2) of the eliminated employment positions shall be management positions for which interaction with the public or the provision of a public safety function is not a primary function of the employment.

(c) This section does not prohibit a state agency from terminating an employee or eliminating an employment position for reasons other than a shortage or reduction of funds available to the state agency.

25-16-1202. Funding decisions by the Department of Human Services in response to a shortage or reduction of funds available.

The Department of Human Services shall not eliminate or reduce funding for foster care services or juvenile detention services solely on the basis of a shortage or reduction of funds available to the state agency."