

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
88th General Assembly  
Fiscal Session, 2012

As Engrossed: S2/28/12  
**A Bill**

SENATE BILL 136

By: Joint Budget Committee

### For An Act To Be Entitled

AN ACT TO AMEND THE REVENUE STABILIZATION LAW; AND  
FOR OTHER PURPOSES.

### Subtitle

AN ACT TO AMEND THE REVENUE STABILIZATION  
LAW OF ARKANSAS.

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

SECTION 1. Arkansas Code § 19-5-303 concerning the creation of Institutions of higher education funds, is amended to add the following subsections:

(gg)(1) Ozarka College Fund. There is established on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a fund to be known as the "Ozarka College Fund".

(2) The Ozarka College Fund shall be used for the maintenance, operation, and improvement of Ozarka College.

(3) The Ozarka College Fund shall consist of:

(A) Those general revenues as may be provided by law; and

(B) Any other funds made available for the support of Ozarka College which are required to be deposited into the State Treasury by law.

(hh)(1) Southeast Arkansas College Fund. There is established on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a fund to be known as the "Southeast Arkansas College Fund".

(2) The Southeast Arkansas College Fund shall be used for the maintenance, operation, and improvement of the Southeast Arkansas College.



(3) The Southeast Arkansas College Fund shall consist of:

(A) Those general revenues as may be provided by law; and

(B) Any other funds made available for the support of the Southeast Arkansas College which are required to be deposited into the State Treasury by law.

(ii)(1) College of The Ouachitas Fund. There is established on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a fund to be known as the "College of The Ouachitas Fund".

(2) The College of The Ouachitas Fund shall be used for the maintenance, operation, and improvement of the College of The Ouachitas.

(3) The College of The Ouachitas Fund shall consist of:

(A) Those general revenues as may be provided by law; and

(B) Any other funds made available for the support of the College of The Ouachitas which are required to be deposited into the State Treasury by law.

SECTION 2. Arkansas Code § 19-5-311 concerning the creation of Technical college funds, is amended to read as follows:  
19-5-311. Technical college funds created.

(a)(1) There is established on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a fund to be known as the "Black River Technical College Fund", there to be used for the maintenance, operation, and improvement of the Black River Technical College.

(2) The Black River Technical College Fund shall consist of:

(A) Those general revenues as may be provided by law; and

(B) Any other funds made available for the support of the Black River Technical College which are required to be deposited into the State Treasury by law.

~~\_\_\_\_\_ (b)(1) There is established on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a fund to be known as the "Ozarka College Fund", there to be used for the maintenance, operation, and improvement of Ozarka College.~~

~~\_\_\_\_\_ (2) The Ozarka College Fund shall consist of:~~

~~\_\_\_\_\_ (A) Those general revenues as may be provided by law; and~~

~~\_\_\_\_\_ (B) Any other funds made available for the support of Ozarka~~

~~College which are required to be deposited into the State Treasury by law.~~

~~———— (c)(1) There is established on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a fund to be known as the “Southeast Arkansas College Fund”. The fund shall be used for the maintenance, operation, and improvement of the Southeast Arkansas College.~~

~~———— (2) The Southeast Arkansas College Fund shall consist of:~~

~~———— (A) Those general revenues as may be provided by law; and~~

~~———— (B) Any other funds made available for the support of the Southeast Arkansas College which are required to be deposited into the State Treasury by law.~~

~~—(d)(b)(1) There is established on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a fund to be known as the “Pulaski Technical College Fund”, there to be used for the maintenance, operation, and improvement of the Pulaski Technical College.~~

(2) The Pulaski Technical College Fund shall consist of:

(A) Those general revenues as may be provided by law; and

(B) Any other funds made available for the support of the Pulaski Technical College which are required to be deposited into the State Treasury by law.

~~———— (c)(1) There is established on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a fund to be known as the “Ouachita Technical College Fund”, there to be used for the maintenance, operation, and improvement of the Ouachita Technical College.~~

~~———— (2) The Ouachita Technical College Fund shall consist of:~~

~~———— (A) Those general revenues as may be provided by law; and~~

~~———— (B) Any other funds made available for the support of the Ouachita Technical College which are required to be deposited into the State Treasury by law.~~

SECTION 3. Arkansas Code § 19-5-1103(b) concerning the Property Tax Relief Trust Fund, is amended to read as follows:

(b) The fund shall consist of such revenues as generated by §§ 26-52-302(c), 26-52-317(c)(1)(B), 26-52-319(a)(3)(B), 26-53-107(c), 26-53-145(c)(1)(B), 26-53-148(a)(3)(B), 26-56-201(g)(1)(C) and 26-56-224(c)(2), and shall be used for such purposes as set out in § 26-26-310.

SECTION 4. Arkansas Code § 19-5-1227(b)(3) concerning the Educational Adequacy Fund, is amended to read as follows:

(3) The revenues generated by §§ 26-52-302(d), 26-52-316, 26-52-317(c)(1)(C), 26-52-319(a)(3)(C), 26-53-107(d), 26-53-145(c)(1)(C), 26-53-148(a)(3)(C), 26-56-201(g)(1)(B), 26-56-224(c)(3), and 26-57-1002(d)(1)(A)(ii); and

SECTION 5. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. Any funds appropriated by the Eighty-Eighth General Assembly from the Ouachita Technical College Fund shall be deemed payable from the College of The Ouachitas Fund.

*SECTION 6. Arkansas Code 19-5-401 is amended to read as follows:*

*19-5-401. Allocations for fiscal year 2012-2013 and thereafter. Commencing with the fiscal year beginning July 1, 2012, 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 2012, 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 7. Arkansas Code 19-5-402 is amended to read as follows:*

*19-5-402. Maximum allocations of revenues for fiscal year 2012-2013 and thereafter.*

*(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 four billion seven hundred twenty-seven million five hundred thousand dollars (\$4,727,500,000) 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*

<i>(1) Department of Education Public School Fund Account</i>	<i>\$1,961,576,841</i>
<i>(2) State Library Public School Fund Account</i>	<i>\$ 5,672,143</i>
<i>(3) Department of Career Education Public School Fund Account</i>	<i>\$ 32,284,224</i>

*GENERAL EDUCATION FUND*

<i>(1) Department of Education Fund Account</i>	<i>\$ 15,471,687</i>
<i>(2) Educational Facilities Partnership Fund Account</i>	<i>\$ 34,828,951</i>
<i>(3) Division of Public School Academic Facilities and Transportation Fund Account</i>	<i>\$ 2,492,317</i>
<i>(4) Educational Television Fund Account</i>	<i>\$ 5,075,556</i>
<i>(5) School for the Blind Fund Account</i>	<i>\$ 6,110,288</i>
<i>(6) School for the Deaf Fund Account</i>	<i>\$ 10,457,470</i>
<i>(7) State Library Fund Account</i>	<i>\$ 3,345,374</i>
<i>(8) Department of Career Education Fund Account</i>	<i>\$ 3,341,028</i>
<i>(9) Rehabilitation Services Fund Account</i>	<i>\$ 12,953,772</i>
<i>Technical Institutes:</i>	
<i>(10) Crowley's Ridge Technical Institute Fund Account</i>	<i>\$ 2,498,384</i>
<i>(11) Northwest Technical Institute Fund Account</i>	<i>\$ 2,908,129</i>
<i>(12) Riverside Vocational Technical School Fund Account</i>	<i>\$ 2,226,907</i>

*DEPARTMENT OF HUMAN SERVICES FUND*

<i>(1) Department of Human Services Administration Fund Account</i>	<i>\$ 15,637,721</i>
<i>(2) Aging and Adult Services Fund Account</i>	<i>17,391,126</i>
<i>(3) Children and Family Services Fund Account</i>	<i>49,511,800</i>
<i>(4) Child Care and Early Childhood Education Fund Account</i>	<i>563,454</i>
<i>(5) Youth Services Fund Account</i>	<i>48,255,346</i>
<i>(6) Developmental Disabilities Services Fund Account</i>	<i>61,773,664</i>
<i>(7) Medical Services Fund Account</i>	<i>4,958,217</i>
<i>(8) Department of Human Services Grants Fund Account</i>	<i>805,960,522</i>
<i>(9) Behavioral Health Services Fund Account</i>	<i>78,502,870</i>
<i>(10) State Services for the Blind Fund Account</i>	<i>1,880,943</i>

(11) *County Operations Fund Account* 47,191,028

*STATE GENERAL GOVERNMENT FUND*

(1) *Department of Arkansas Heritage Fund Account* \$ 6,203,610  
 (2) *Arkansas Agriculture Department Fund Account* 15,851,863  
 (3) *Department of Labor Fund Account* 3,005,407  
 (4) *Department of Higher Education Fund Account* 3,291,808  
 (5) *Higher Education Grants Fund Account* 34,491,806  
 (6) *Arkansas Economic Development Commission  
 Fund Account* 10,311,798  
 (7) *Department of Correction Inmate Care  
 and Custody Fund Account* 298,842,000  
 (8) *Department of Community Correction Fund Account* 69,975,623  
 (9) *State Military Department Fund Account* 9,466,483  
 (10) *Parks and Tourism Fund Account* 22,607,437  
 (11) *Arkansas Department of Environmental Quality  
 Fund Account* 4,210,633  
 (12) *Miscellaneous Agencies Fund Account* 56,788,049

*COUNTY AID FUND* \$ 19,645,067

*COUNTY JAIL REIMBURSEMENT FUND* \$ 9,453,607

*CRIME INFORMATION SYSTEM FUND* \$ 3,681,833

*CHILD SUPPORT ENFORCEMENT FUND* \$ 12,951,328

*PUBLIC HEALTH FUND* \$ 90,838,467

*MERIT ADJUSTMENT FUND* \$ -

*MOTOR VEHICLE ACQUISITION REVOLVING FUND* \$ -

*MUNICIPAL AID FUND* \$ 27,372,099

*DEPARTMENT OF ARKANSAS STATE POLICE FUND* \$ 62,293,971

*DEPARTMENT OF WORKFORCE SERVICES FUND* \$ 3,775,642

*INSTITUTIONS OF HIGHER EDUCATION*

(1) *ARKANSAS STATE UNIVERSITY FUND* \$ 56,856,765

(2) *ARKANSAS TECH UNIVERSITY FUND* \$ 31,535,222

(3) *HENDERSON STATE UNIVERSITY FUND* \$ 18,713,847

(4) *SOUTHERN ARKANSAS UNIVERSITY FUND* \$ 15,449,575

(5) *UNIVERSITY OF ARKANSAS FUND* \$ 116,761,613

(6) UNIVERSITY OF ARKANSAS FUND-ARCHEOLOGICAL SURVEY	\$ 2,327,380
(7) UNIVERSITY OF ARKANSAS FUND-DIVISION OF AGRICULTURE	\$ 62,800,138
(8) UNIVERSITY OF ARKANSAS FUND-CLINTON SCHOOL	\$ 2,295,575
(9) UNIVERSITY OF ARKANSAS FUND-CRIMINAL JUSTICE INSTITUTE	\$ 1,825,769
(10) SCHOOL FOR MATH, SCIENCE AND ARTS FUND	\$ 1,113,015
(11) UNIVERSITY OF ARKANSAS AT FORT SMITH FUND	\$ 20,245,166
(12) UNIVERSITY OF ARKANSAS AT LITTLE ROCK FUND	\$ 59,841,915
(13) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND	\$ 95,656,661
(14) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND - CHILD SAFETY CENTER	\$ 720,588
(15) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND - INDIGENT CARE	\$ 5,342,181
(16) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND - CHILD ABUSE/RAPE/DOMESTIC VIOLENCE	\$ 735,000
(17) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND - PEDIATRICS/PSYCHIATRIC RESEARCH	\$ 1,950,000
(18) UNIVERSITY OF ARKANSAS AT MONTICELLO FUND	\$ 15,832,510
(19) UNIVERSITY OF ARKANSAS AT PINE BLUFF FUND	\$ 25,229,737
(20) UNIVERSITY OF CENTRAL ARKANSAS FUND	\$ 52,284,021
(21) ARKANSAS NORTHEASTERN COLLEGE FUND	\$ 8,577,052
(22) ARKANSAS STATE UNIVERSITY - BEEBE FUND	\$ 12,044,916
(23) ARKANSAS STATE UNIVERSITY - MOUNTAIN HOME FUND	\$ 3,582,223
(24) ARKANSAS STATE UNIVERSITY - NEWPORT FUND	\$ 5,992,293
(25) COSSATOT COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS FUND	\$ 3,351,626
(26) EAST ARKANSAS COMMUNITY COLLEGE FUND	\$ 5,788,058
(27) MID-SOUTH COMMUNITY COLLEGE FUND	\$ 3,818,117
(28) NATIONAL PARK COMMUNITY COLLEGE FUND	\$ 8,943,803
(29) NORTH ARKANSAS COLLEGE FUND	\$ 7,966,091
(30) NORTHWEST ARKANSAS COMMUNITY COLLEGE FUND	\$ 10,084,563
(31) PHILLIPS COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS FUND	\$ 9,063,088
(32) RICH MOUNTAIN COMMUNITY COLLEGE FUND	\$ 3,201,250
(33) SAU - TECH FUND	\$ 5,639,168

(34) SAU - TECH FUND-ENVIRONMENTAL CONTROL CENTER	\$	368,404
(35) SAU - TECH FUND-FIRE TRAINING ACADEMY	\$	1,651,221
(36) SOUTH ARKANSAS COMMUNITY COLLEGE FUND	\$	5,994,316
(37) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT BATESVILLE FUND	\$	4,050,586
(38) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT HOPE FUND	\$	4,491,997
(39) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT MORRILTON FUND	\$	4,787,010
(40) BLACK RIVER TECHNICAL COLLEGE FUND	\$	6,049,404
(41) COLLEGE OF THE OUACHITAS FUND	\$	3,527,261
(42) OZARKA COLLEGE FUND	\$	2,988,694
(43) PULASKI TECHNICAL COLLEGE FUND	\$	14,457,088
(44) SOUTHEAST ARKANSAS COLLEGE FUND	\$	5,636,798

*SECTION 8. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL OR TEMPORARY LAW. FUND TRANSFER. Immediately upon the effective date of this Act, and notwithstanding the provisions of A.C.A. 18-28-213 (c)(2) regarding the transfer of funds from the Unclaimed Property Proceeds Trust Fund to the general revenues of the state, the Auditor of State shall transfer on his or her books and those of the State Treasurer and the Chief Fiscal Officer of State the sum of one million five hundred thousand dollars (\$1,500,000) from the Unclaimed Property Proceeds Trust Fund to the Mid-South Community College Fund to be expensed from the Arkansas Delta Training and Education Consortium, the Arkansas Delta Training and Education Consortium Partners, and the University Center Partners appropriations.*

*SECTION 9. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL OR TEMPORARY LAW. FUND TRANSFER. Immediately upon the effective date of this Act, and notwithstanding the provisions of A.C.A. 18-28-213 (c)(2) regarding the transfer of funds from the Unclaimed Property Proceeds Trust Fund to the general revenues of the state, the Auditor of State shall transfer on his or her books and those of the State Treasurer and the Chief Fiscal Officer of State the sum of one million dollars (\$1,000,000) from the Unclaimed Property Proceeds Trust Fund to the*

Higher Education Grants Fund Account to provide additional funding for scholarships.

SECTION 10. EFFECTIVE DATE. This act is effective on and after July 1, 2012.

/s/Joint Budget Committee