

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

State of Arkansas  
89th General Assembly  
Regular Session, 2013

# A Bill

HOUSE BILL 1028

By: Representatives Love, Hodges

## For An Act To Be Entitled

AN ACT CONCERNING THE TRANSFER OF GENERAL REVENUE RELATED TO SALARY SAVINGS; TO CREATE A SALARY SAVINGS FUND; TO USE THE SALARY SAVINGS FUND TO FUND COST-OF-LIVING ADJUSTMENTS AND TWENTY-SEVENTH PAY PERIODS FOR PUBLIC EMPLOYEES; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

## Subtitle

CONCERNING THE TRANSFER OF GENERAL REVENUE RELATED TO SALARY SAVINGS; TO CREATE A SALARY SAVINGS FUND; TO USE THE SALARY SAVINGS FUND FOR COST-OF-LIVING ADJUSTMENTS AND TWENTY-SEVENTH PAY PERIODS; AND TO DECLARE AN EMERGENCY.

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

SECTION 1. Arkansas Code Title 19, Chapter 5, Subchapter 12 is amended to add an additional section to read as follows:

19-5-1249. Salary Savings Fund.

(a) There is created on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a miscellaneous fund to be known as the "Salary Savings Fund".

(b) The fund shall consist of salary savings under § 19-6-202 and any other moneys as may be provided by law.

(c) The fund shall be used to fund one (1) or more of the following for public employees:



- (1) A cost-of-living adjustment; and
- (2) A twenty-seventh pay period.

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

19-6-202. General revenue transfer of salary savings.

(a) If a state agency, board, commission, or institution of higher education has a regular salary position funded by general revenue in whole or in part that is budgeted but not occupied during any portion of a quarter period of a fiscal year:

(1) At the end of each quarter period of each fiscal year, the director of each state agency, board, or commission and each president or chancellor of an institution of higher education shall certify to the Chief Fiscal Officer of the State the total amount of general revenue budgeted for each regular salary position for the time the position was not occupied minus the amount of any general revenue budgeted for an unfilled position for the purposes of the state contribution for health insurance; and

(2) No later than fifteen (15) days after the end of each fiscal year quarter period or as soon thereafter as is practical, the Chief Fiscal Officer of the State shall:

(A) Verify the amount of general revenue certified by the agency, board, commission, or institution of higher education under subdivision (a)(1) of this section; and

(B) Transfer on his or her books and those of the Treasurer of State and Auditor of State from each applicable fund or fund account the amount of general revenue verified under subdivision (a)(2)(A) of this section to the Salary Savings Fund.

(b) The Chief Fiscal Officer of the State shall submit a quarterly report to the Legislative Council or the Joint Budget Committee that includes the amount transferred from each agency, board, commission, or institution of higher education to the Salary Savings Fund and any other information requested by the Legislative Council regarding the implementation of this section.

SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that due to the economic downturn

and the need to fund essential programs and pay plan issues, the state needs to look at all available funding sources; that salary savings would be better used to fund cost-of-living adjustments and twenty-seventh pay periods for public employees; and that this act is necessary to ensure the continued and efficient operations of the state. Therefore, an emergency is declared to exist, and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2013.