

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

State of Arkansas
93rd General Assembly
Regular Session, 2021

As Engrossed: H2/24/21
A Bill

HOUSE BILL 1223

By: Representatives Underwood, *Beaty Jr.*, *Bryant*, *Carr*, *Fortner*, *Haak*, *McCollum*, *Tollett*
By: Senator Hester

For An Act To Be Entitled

AN ACT TO WITHHOLD TURNBACK FUNDS TO CITIES OF THE
FIRST CLASS THAT DEFUND THE POLICE DEPARTMENT; AND
FOR OTHER PURPOSES.

Subtitle

THE BACK THE BLUE ACT.

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

SECTION 1. Arkansas Code Title 14, Chapter 52, Subchapter 1, is amended to add an additional section to read as follows:

14-52-114. Funding protection.

(a)(1) As used in this section, "defunding municipality" means a city of the first class that:

(A) Abolishes or disbands the city police department without reconstituting the city police department or entering into an interlocal agreement with another entity to provide the services of a city police department; or

(B) Reduces the annual budget of the city police department by twenty-five percent (25%) or more without reallocating the funds to a public safety and law enforcement program provided by the city or by another entity through an interlocal agreement for the purposes under § 14-52-101.

(2) As used in this section, "defunding municipality" does not mean a city of the first class that decreases the budget of the city police department by twenty-five percent (25%) or more as a result of an annual



operating budget decrease due to an overall decrease in tax collection or other funding source within the city.

(b) A defunding municipality is not eligible for revenues allocated and distributed to the defunding municipality under § 19-5-601.

(c) A defunding municipality may petition the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee for a waiver of the application of subsection (b) of this section.

(d) This section does not apply to:

(1) A tax that existed on January 1, 2021, that funds a city police department budget and subsequently is not extended by the voters in the city; or

(2) A temporary capital improvement project for a city police department.

/s/Underwood