

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: S4/15/21
A Bill

SENATE BILL 661

By: Senators K. Ingram, Caldwell, B. Johnson, D. Sullivan, D. Wallace, J. Sturch
By: Representatives D. Ferguson, Nicks

For An Act To Be Entitled

AN ACT TO ESTABLISH THE ASPIRE SCHOLARSHIP PROGRAM;
TO AMEND THE LAW REGARDING CASINO GAMING AND
RESULTING FROM THE ARKANSAS CASINO GAMING AMENDMENT
OF 2018, ARKANSAS CONSTITUTION, AMENDMENT 100; TO
DIRECT THE DISTRIBUTION OF CERTAIN NET CASINO GAMING
RECEIPTS TAX REVENUES; TO DIRECT THE DISTRIBUTION OF
CERTAIN NET CASINO GAMING RECEIPTS; AND FOR OTHER
PURPOSES.

Subtitle

TO ESTABLISH THE ASPIRE SCHOLARSHIP
PROGRAM; TO AMEND THE LAW REGARDING
CASINO GAMING; AND TO DIRECT DISTRIBUTION
OF CERTAIN NET CASINO GAMING RECEIPTS TAX
REVENUES AND NET CASINO GAMING RECEIPTS.

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

SECTION 1. DO NOT CODIFY. LEGISLATIVE INTENT.

(a) The General Assembly finds that:

- (1) Access to education is key to a youth's future;
- (2) Ensuring that educational opportunities are available to youths is one of the most important functions of society;
- (3) Many youths in Arkansas face economic challenges in their pursuit of higher education and need additional support in order to continue their education and meet their future goals;



(4) By providing additional scholarship opportunities for youths in Arkansas, the state can help youths achieve a level of education that might otherwise be unavailable;

(5) The Arkansas Casino Gaming Amendment of 2018, Arkansas Constitution, Amendment 100, authorized casino gaming in Arkansas and requires certain revenues derived from net casino gaming receipts taxes to be distributed and used only for purses for live horse racing and greyhound racing based upon a specific apportionment;

(6) The Arkansas Casino Gaming Amendment of 2018, Arkansas Constitution, Amendment 100, also requires a franchise holder operating a franchise to conduct greyhound racing to set aside certain net casino gaming receipts to be used only for purses for live greyhound racing and capital improvements to the franchise holder's facility;

(7) Live greyhound racing will be phased out in Arkansas, which was not addressed in The Arkansas Casino Gaming Amendment of 2018, Arkansas Constitution, Amendment 100;

(8) When live greyhound racing ceases, funds required to be used or set aside for certain greyhound racing-related purposes will no longer be used for the purposes intended under The Arkansas Casino Gaming Amendment of 2018, Arkansas Constitution, Amendment 100; and

(9) Section 3(c) of The Arkansas Casino Gaming Amendment of 2018, Arkansas Constitution, Amendment 100, provides that "[t]o fulfill the purposes of this Amendment, the Arkansas General Assembly shall from time to time enact laws...".

(b) The purpose of this act is to:

(1) Increase the educational opportunities for Arkansas students; and

(2) Address the funding directed to live greyhound racing in order to fulfill the purpose of The Arkansas Casino Gaming Amendment of 2018, Arkansas Constitution, Amendment 100, when live greyhound racing ceases.

SECTION 2. DO NOT CODIFY. TEMPORARY LANGUAGE. ASPIRE Scholarship Program.

(a)(1) There is established the ASPIRE Scholarship Program to be administered by the Arkansas State University System Foundation, Inc.

(2)(A) The President of the Arkansas State University System

Foundation, Inc., and the chancellors of Arkansas State University and Arkansas State University Mid-South shall establish criteria to determine who is eligible to receive the scholarships and grants from the ASPIRE Scholarship Program under subdivision (a)(1) of this section.

(B) The eligibility criteria established under subdivision (a)(2)(A) of this section shall include without limitation that an individual is:

(i) A graduate of a Crittenden County high school;

(ii) Admitted to and enrolled at Arkansas State University Mid-South or an associate degree graduate of Arkansas State University Mid-South admitted to and enrolled at Arkansas State University; and

(iii) Making satisfactory progress toward a certificate or associate degree at Arkansas State University Mid-South or a baccalaureate degree at Arkansas State University.

(3) To be considered as a recipient of an ASPIRE Scholarship under this section, an individual shall submit:

(A) An approved application;

(B) A high school transcript; and

(C) Documentation of application to and enrollment at Arkansas State University or Arkansas State University Mid-South.

(b) A scholarship issued to an eligible student under the ASPIRE Scholarship Program shall be a last-dollar scholarship and awarded to the eligible student only after all other financial aid resources have been awarded but while aid is still needed to meet the cost of attendance at Arkansas State University or Arkansas State University Mid-South.

(c) The Arkansas State University System Foundation, Inc., may establish criteria to award funding from the ASPIRE Scholarship Program to endow chairs of excellence at Arkansas State University Mid-South.

(d)(1) The Arkansas State University System Foundation, Inc., may raise additional funding for the ASPIRE Scholarship Program.

(2) If additional funding is raised under subdivision (d)(1) of this section, the Arkansas State University System Foundation, Inc., may use the additional funding to provide scholarships to eligible students at other state-supported four-year colleges or universities in the state under the ASPIRE Scholarship Program.

SECTION 3. DO NOT CODIFY. TEMPORARY LANGUAGE. Contributions to purses.

(a) If a franchise holder issued a casino license based upon its holding of a franchise to conduct greyhound racing under the Arkansas Greyhound Racing Law, § 23-111-101 et seq., no longer conducts greyhound racing at its facility, the franchise holder shall remit on a monthly basis for calendar year 2023 the:

(1) Fourteen percent (14%) required to be set aside for purses for greyhound racing under § 6 of The Arkansas Casino Gaming Amendment of 2018, Arkansas Constitution, Amendment 100, to be distributed as described in subsection (b) of this section; and

(2) One percent (1%) required to be paid by the franchise holder to the Arkansas Racing Commission to be used for breeders' awards under § 6 of The Arkansas Casino Gaming Amendment of 2018, Arkansas Constitution, Amendment 100, to the Greyhound Breeders of Arkansas, Inc.

(b) The moneys remitted under subdivision (a)(1) of this section shall be distributed as follows:

(1) Seven hundred fifty thousand dollars (\$750,000) to the Breast Milk Bank Special Fund;

(2) Two hundred fifty thousand dollars (\$250,000) to the Division of Elementary and Secondary Education Fund Account; and

(3)(A) The remaining moneys to the Arkansas State University System Foundation, Inc.

(B) The moneys remitted to the Arkansas State University System Foundation, Inc., under subdivision (b)(3)(A) of this section shall be invested and used solely for the purpose of:

(i) Scholarships and grants as provided in the ASPIRE Scholarship Program; and

(ii) Funding to endow chairs of excellence at Arkansas State University Mid-South.

SECTION 4. DO NOT CODIFY. TEMPORARY LANGUAGE. Revenues derived by net casino gaming receipts tax.

(a) For one (1) calendar year beginning January 1, 2023, the forty percent (40%) of revenues derived by the net casino gaming receipts taxes

levied under § 5(d) of The Arkansas Casino Gaming Amendment of 2018, Arkansas Constitution, Amendment 100, for distribution to the franchise holder operating a franchise to conduct greyhound racing shall be distributed as follows:

(1) Five million dollars (\$5,000,000) to the cash fund as defined under § 19-4-801 for construction, renovation, maintenance, equipment, personal services, and operating expenses of the Division of Agriculture of the University of Arkansas for the purpose of rice research; and

(2) The remaining moneys to the active greyhound breeders in Arkansas under subsection (b) of this section.

(b) On or before September 30, 2021, the nonprofit organization known as Greyhound Breeders of Arkansas, Inc., organized under § 501(c)(6) of the Internal Revenue Code of 1986 in August 2012, shall submit to the Arkansas Racing Commission:

(1) A document outlining the distribution of the revenues under this section to one (1) or more active greyhound breeders in Arkansas;

(2) An affidavit evidencing the affirmative vote of support of the active members of Greyhound Breeders of Arkansas, Inc., for the distribution outlined in the document under subdivision (b)(1) of this section;

(3) A list of the names and addresses of each active greyhound breeder receiving a distribution outlined in the document under subdivision (b)(1) of this section; and

(4) Proof of membership of each active greyhound breeder receiving a distribution outlined in the document under subdivision (b)(1) of this section in Greyhound Breeders of Arkansas, Inc.

(c) Upon receipt of the information under subsection (b) of this section, the commission shall distribute revenues as provided in the document under subdivision (b)(1) of this section for one (1) calendar year beginning January 1, 2023.

/s/K. Ingram