

Stricken language will be deleted and underlined language will be added.

State of Arkansas
93rd General Assembly
Third Extraordinary Session, 2022

A Bill

Call Item 2

HOUSE BILL 1005

By: Representatives Murdock, F. Allen, Clowney, A. Collins, Ennett, D. Ferguson, K. Ferguson, Fielding, V. Flowers, D. Garner, Godfrey, M. Hodges, Hudson, Love, Magie, McCullough, Nicks, Perry, Richardson, Scott, Springer
By: Senators C. Tucker, L. Chesterfield, Elliott, S. Flowers, K. Ingram, G. Leding, Teague

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR THE PUBLIC SCHOOL DISTRICT CLASSIFIED STAFF RETENTION AND RECRUITMENT PROGRAM FOR THE DEPARTMENT OF EDUCATION - DIVISION OF ELEMENTARY AND SECONDARY EDUCATION FOR THE FISCAL YEAR ENDING JUNE 30, 2023; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF EDUCATION - DIVISION OF ELEMENTARY AND SECONDARY EDUCATION - PUBLIC SCHOOL DISTRICT CLASSIFIED STAFF RETENTION AND RECRUITMENT PROGRAM APPROPRIATION FOR THE 2022-2023 FISCAL YEAR.

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

SECTION 1. APPROPRIATION - PUBLIC SCHOOL DISTRICT CLASSIFIED STAFF RETENTION AND RECRUITMENT PROGRAM. There is hereby appropriated, to the Department of Education - Division of Elementary and Secondary Education, to be payable from the Division of Elementary and Secondary Education Public School Fund Account for the Public School District Classified Staff Retention and Recruitment Program for providing additional funding to public school districts in order to provide bonuses for classified staff by the Department of Education - Division of Elementary and Secondary Education for the fiscal



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year ending June 30, 2023, the following:

ITEM NO.	FISCAL YEAR 2022-2023
(01) PUBLIC SCHOOL DISTRICT CLASSIFIED STAFF RETENTION AND RECRUITMENT PROGRAM	<u>\$250,000,000</u>

SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING TRANSFER. Immediately upon the effective date of this act the Chief Fiscal Officer of the State shall transfer on his or her books and those of the State Treasurer and the Auditor of State, a sum of two hundred fifty million dollars (\$250,000,000) from the General Revenue Allotment Reserve Fund to a new Public School District Classified Staff Retention and Recruitment Program sub-fund in the Educational Adequacy Fund, there to be used exclusively for the purpose of distributing grants and aid to local public school districts by the Department of Education for the Public School District Classified Staff Retention and Recruitment Program.

SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PUBLIC SCHOOL DISTRICT CLASSIFIED STAFF RETENTION AND RECRUITMENT PROGRAM.

(i) Upon the effective date of this act, and as needed from time to time thereafter as determined by the Department of Education, the Arkansas State Treasurer shall transfer funds as they are available from the Educational Adequacy Fund - Public School District Classified Staff Retention and Recruitment Program sub-fund to the Division of Elementary and Secondary Education Public School Fund Account to be used solely for the implementation of the Public School District Classified Staff Retention and Recruitment Program.

(ii) Funds in the Public School District Classified Staff Retention and Recruitment Program sub-fund shall be kept separate from all other monies in the Educational Adequacy Fund and shall be utilized by the Department of Education to provide grants and aid to assist public school districts in ensuring that all classified staff working in Arkansas public schools receive a bonus of two thousand five hundred dollars (\$2,500) per year for Fiscal

Year 2023, Fiscal Year 2024, and Fiscal Year 2025 from the Public School District Classified Staff Retention and Recruitment Program sub-fund. Any unallocated and unexpended funds at the end of Fiscal Year 2025 shall be recouped into the General Revenue Allotment Reserve Fund.

(iii) The Public School District Classified Staff Retention and Recruitment Program sub-fund shall not be considered part of a public school district's net legal balance or net legal balance revenues as those terms are defined in Arkansas Code § 6-20-2210 for the purpose of meeting the requirements on limitation of fund balances pursuant to Arkansas Code § 6-20-2210.

(iv) The Arkansas Department of Education shall promulgate rules to administer this section.

SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this act shall be limited to the appropriation for such agency and funds made available by law for the support of such appropriations; and the restrictions of the State Procurement Law, the General Accounting and Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures and Restrictions Act, or their successors, and other fiscal control laws of this State, where applicable, and regulations promulgated by the Department of Finance and Administration, as authorized by law, shall be strictly complied with in disbursement of said funds.

SECTION 5. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the retention of public school district classified staff and providing appropriate compensation to those staff is of the utmost importance to the public peace, health, and safety of the state of Arkansas; that the funds designated to assist public school

districts in retaining public school district classified staff should be made available immediately; and that this act is immediately necessary to providing immediate bonuses to classified staff in public school districts for retention and recruitment purposes. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If this bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill;
or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.