

State of Arkansas  
94th General Assembly  
Regular Session, 2023

# A Bill

HOUSE BILL 1614

By: Representatives Vaught, Haak, Beaty Jr., Milligan, K. Moore, Maddox, McNair, Cavanaugh, D. Hodges, Hawk, L. Johnson, Puryear, Cozart, Lundstrum, G. Hodges, D. Garner, Brooks  
By: Senators Dees, Gilmore, J. Petty, G. Leding

## For An Act To Be Entitled

AN ACT REGARDING THE ARKANSAS NATURAL RESOURCES COMMISSION; TO ESTABLISH THE WATER AND SEWER TREATMENT FACILITIES GRANT PROGRAM; TO CREATE THE WATER AND SEWER TREATMENT FACILITIES GRANT PROGRAM FUND; TO TRANSFER FUNDING FROM THE SECURITIES RESERVE FUND; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

## Subtitle

TO ESTABLISH THE WATER AND SEWER TREATMENT FACILITIES GRANT PROGRAM; TO TRANSFER FUNDING FROM THE SECURITIES RESERVE FUND; AND TO DECLARE AN EMERGENCY.

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

SECTION 1. Arkansas Code § 19-5-905(a)(11) and (12), concerning the use of the Securities Reserve Fund, are amended to read as follows:

(11) After the transfer enumerated in subdivision (a)(10) of this section and contingent upon available moneys in the Securities Reserve Fund, for a transfer by the Chief Fiscal Officer of the State of fifty million dollars (\$50,000,000) or as much as remains unobligated each fiscal year to the Water and Sewer Treatment Facilities Grant Program Fund;

(12) For a transfer by the Chief Fiscal Officer of the State on



the last business day of the fiscal year to the Budget Stabilization Trust Fund to reimburse the Budget Stabilization Trust Fund for any current fiscal year transfers that have been made to the following:

- (A) The Division of Correction Farm Fund under § 19-5-501(b)(1);
- (B) The Department of the Military Fund Account under § 19-5-501(b)(3);
- (C) The Disaster Assistance Fund under § 19-5-1006;
- (D) The Miscellaneous Revolving Fund under § 19-5-1009;
- (E) The State Central Services Fund under § 19-5-501(d);

and

- (F) The State Board of Election Commissioners, as authorized by law; and

~~(12)~~(13) After all distributions and transfers under this section, less one hundred thousand dollars (\$100,000) under § 19-3-521(a)(2), for a transfer by the Chief Fiscal Officer of the State on the last business day of the fiscal year of the fund balance to the Catastrophic Reserve Fund.

SECTION 2. Arkansas Code Title 19, Chapter 6, Subchapter 8, is amended to add an additional section to read as follows:

19-6-844. Water and Sewer Treatment Facilities Grant Program Fund.

(a) There is established on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a special revenue fund to be known as the "Water and Sewer Treatment Facilities Grant Program Fund".

(b) The fund shall consist of:

- (1) Moneys transferred to the fund under § 19-5-905; and
- (2) Any other revenues as authorized by law.

(c) The fund shall be used by the Arkansas Natural Resources Commission to award grants under the Water and Sewer Treatment Facilities Grant Program established in § 25-43-203.

SECTION 3. Arkansas Code Title 25, Chapter 43, Subchapter 2, is amended to add an additional section to read as follows:

25-43-203. Water and Sewer Treatment Facilities Grant Program.

(a)(1) There is created within the Arkansas Natural Resources

Commission the Water and Sewer Treatment Facilities Grant Program to be administered by the commission.

(2) The commission may hire personnel necessary to carry out the duties of administering the program.

(b) The commission shall:

(1) Create an application form to be submitted by eligible water and sewer treatment facilities seeking a matching grant from the program;

(2) Devise an application process that:

(A) Defines the eligibility criteria for a matching grant;

and

(B) Establishes application submittal and review processes;

(3) Define a process by which matching grants may be awarded;

(4) Execute standard legal grant agreements and other documentation governing the disbursement and use of matching grants; and

(5) Provide matching grants to eligible water and sewer treatment facilities for infrastructure and improvement projects that are shovel ready.

(c) The commission shall promulgate rules necessary for the implementation of the program.

SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that it is in the best interest of the citizens of this state to provide water and sewer grant opportunities for projects to keep Arkansas water systems safe and clean; and that this act is necessary because there is a dire need to protect public health and safety in Arkansas by replacing water and sewer lines in disrepair and providing new access to clean water systems to other citizens. 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 the 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.