

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representative Jones**

A Bill

ACT 384 OF 1993
HOUSE BILL 1520

For An Act To Be Entitled

8 "AN ACT TO ESTABLISH A FUND TO PROVIDE REVOLVING LOANS TO
9 INDIVIDUALS WITH DISABILITIES FOR THE PURPOSE OF
10 PURCHASING ESSENTIAL ASSISTIVE TECHNOLOGY/ADAPTIVE
11 EQUIPMENT AND RELATED SERVICES; AND FOR OTHER PURPOSES."

Subtitle

14 "AN ACT TO PROVIDE LOANS FOR PURCHASING ESSENTIAL
15 ASSISTIVE TECHNOLOGY/ADAPTIVE EQUIPMENT."

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

19 SECTION 1. There is established on the books of the Treasurer of State,
20 Auditor of State and Chief Fiscal Officer of the State a fund to be known as
21 the "Technology Equipment Revolving Loan Fund."

23 SECTION 2. The purpose of the Technology Equipment Loan Fund shall be
24 to provide qualified individuals with disabilities and their family members
25 with the financial opportunity to purchase or modify equipment, facilities,
26 and related services used by one or more persons with a disability to enhance
27 independence, productivity, and full participation in the community.
28 Expenditures from the loan fund may include, but are not limited to,
29 communication devices, prosthesis, wheelchairs, wheelchair car-lifts,
30 telecommunication devices for persons who are deaf or hearing impaired,
31 devices which allow persons who are blind or visually impaired to discern
32 printed materials, ramps, and roll-in showers.

34 SECTION 3. The funds for the Technology Equipment Revolving Loan Fund
35 shall consist of all monies appropriated for the purpose of such fund, all
36 monies transferred to such fund pursuant to law, all monies required by the

1 provisions of this section or any other law to be paid into or credited to
2 this fund, all monies, including interest, paid by borrowers to the fund in
3 repayment of loans made from the fund, and all monies given to the fund by
4 interested individuals or entities and the committee shall be authorized to
5 accept said monies on behalf of the fund from any source, including federal
6 and state grants.

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8 SECTION 4. During the first three (3) years of operation of the fund,
9 the Division of Rehabilitation Services must annually submit to the Governor,
10 the Speaker of the House of Representatives and the President Pro Tempore of
11 the Senate a summary report concerning the status of the Technology Equipment
12 Revolving Loan Fund.

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14 SECTION 5. Unexpended monies contained in this fund at the end of the
15 fiscal year shall be carried forward from year to year.

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17 SECTION 6. (a) (1) There is created the Technology Equipment Revolving
18 Loan Fund Committee to be composed of nine (9) members, of which at least five
19 (5) members must be individuals with disabilities, to be appointed by the
20 Governor, as follows:

21 (A) The Director of the Division of Rehabilitation
22 Services;

23 (B) A representative of the banking industry;

24 (C) A representative of a disability-related consumer
25 organization;

26 (D) A certified public accountant;

27 (E) Five (5) additional members appointed from the state
28 at-large.

29 (2) The Director of the Division of Rehabilitation Services shall
30 be an ex officio member and shall serve as chairperson of the committee,
31 voting only in case of a tie vote.

32 (b) All members shall be appointed for a term of three (3) years, each
33 term to begin July 1, 1993; provided, however, that at the first meeting of
34 the committee, the members shall, by random process approved by a majority of
35 the members, assign initial terms to each member. Three (3) of the initial

1 members shall serve a term of one (1) year, three (3) shall serve a term of
2 two (2) years, and three (3) shall serve a term of three (3) years.

3 (c)(1) Vacancies on the committee from death, resignations or otherwise
4 shall be filled by appointment of the Governor to fill the unexpired term that
5 had been created.

6 (2) Any member of the committee who is absent from three (3)
7 successive regular meetings for any reason other than illness of the member,
8 verified by a written sworn statement by his attending physician and entered
9 into the minutes of the committee, shall thereby forfeit and vacate his
10 membership on the committee. This forfeiture and vacancy shall be certified
11 to the Governor by the committee. The Governor shall fill the vacancy in the
12 same manner as for other vacancies on the committee.

13 (d) Members of the committee shall serve without additional
14 compensation, except that committee members may receive as compensation for
15 attendance at committee meetings a reimbursement of actual expenses not to
16 exceed the maximum amount authorized for in-state travel expenses of state
17 employees.

18 (e) The committee shall elect from its membership a vice-chairperson
19 and a secretary-treasurer.

20 (f) The committee shall adopt rules governing its proceedings.

21 (g) The committee shall be advisors to the Division in making loans
22 under this act.

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24 SECTION 7. The Technology Equipment Revolving Loan Fund Committee shall
25 meet at least once annually and may meet more often as necessary if meetings
26 are called by the chairperson or by a majority of the committee and all
27 members of the committee are notified of the time, date, and place of the
28 meeting in advance.

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30 SECTION 8. (a) The Division of Rehabilitation Services shall administer
31 the Technology Equipment Revolving Loan Fund.

32 (b) The Division of Rehabilitation Services shall submit to the
33 Technology Equipment Revolving Loan Fund Committee proposed rules and
34 regulations governing the operation of the fund, including, but not limited to
35 eligibility for receipt of funds, purposes for which funds may be available,

1 repayment of funds, administrative adjudications in accordance with the
2 Arkansas Administrative Procedure Act, A.C.A. §25-15-201 et seq., and all
3 other matters consistent with and necessary to accomplish the purposes as set
4 out in this act.

5 (c) All rules adopted by the committee shall be promulgated pursuant to
6 the Administrative Procedure Act, §25-15-201 et seq.

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8 SECTION 9. The Director of the Division of Rehabilitation Services must
9 act on the recommendation of the committee within thirty (30) days of the
10 committee_s recommendation or the recommendation of the committee shall be
11 final.

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13 SECTION 10. All provisions of this act of a general and permanent
14 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
15 Code Revision Commission shall incorporate the same in the Code.

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17 SECTION 11. If any provision of this act or the application thereof to
18 any person or circumstance is held invalid, such invalidity shall not affect
19 other provisions or applications of the act which can be given effect without
20 the invalid provision or application, and to this end the provisions of this
21 act are declared to be severable.

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23 SECTION 12. All laws and parts of laws in conflict with this act are
24 hereby repealed.

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APPROVED: 3/8/93

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