

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 273 of the Regular Session

As Engrossed: S2/28/07 S3/5/07

A Bill

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007

HOUSE BILL 1633

4
5 By: Representatives Kenney, Abernathy, Blount, T. Bradford, Cheatham, Cook, Dickinson, Everett,
6 Harris, J. Johnson, Lamoureux, M. Martin, Norton, Petrus, Pickett, Rainey, Rosenbaum, Saunders,
7 Walters, Wood, Wagner
8 By: Senators Broadway, Critcher, Baker, Bookout, B. Johnson, Wilkins, Womack, Argue, Bisbee, G.
9 *Jeffress, J. Jeffress, Capps, Laverty, J. Taylor, Salmon, Miller, Hendren*

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12 **For An Act To Be Entitled**

13 AN ACT TO PROVIDE ENHANCED EDUCATIONAL FUNDING BY
14 SUPPLEMENTING THE AMOUNT OF PER STUDENT
15 FOUNDATION FUNDING DISTRIBUTED TO SCHOOL
16 DISTRICTS FOR THE 2007-2008 AND 2008-2009 SCHOOL
17 YEARS; AND FOR OTHER PURPOSES.

18
19 **Subtitle**

20 AN ACT TO PROVIDE FUNDING FOR ENHANCED
21 EDUCATIONAL FUNDING BY SUPPLEMENTING THE
22 AMOUNT OF PER STUDENT FOUNDATION FUNDING
23 DISTRIBUTED TO SCHOOL DISTRICTS FOR THE
24 2007-2008 AND 2008-2009 SCHOOL YEARS.

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

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29 SECTION 1. Arkansas Code § 6-20-2305(a)(2)(A)-(C), concerning
30 foundation funding is amended to read as follows:

31 (a)(2)(A) For the ~~2005-2006~~ 2007-2008 school year, the foundation
32 funding amount is equal to ~~five thousand four hundred eighty six dollars~~
33 ~~(\$5,486)~~ five thousand seven hundred nineteen dollars (\$5,719) multiplied by
34 the school district's average daily membership for the previous school year.

35 (B) For the ~~2006-2007~~ 2008-2009 school year, the



1 foundation funding amount is equal to ~~five thousand six hundred twenty~~
2 ~~dollars (\$5,620)~~ five thousand seven hundred eighty-nine dollars (\$5,789)
3 multiplied by the school district's average daily membership for the previous
4 school year.

5 (C)(i) In accordance with the state's desire to foster
6 educational excellence, in addition to the amounts determined by the General
7 Assembly to be constitutionally adequate pursuant to subdivisions (a)(2)(A)
8 and (B) of this section, and in addition to the funds distributed to school
9 districts pursuant to subdivisions (a)(2)(A) and (B) of this section:

10 (a) For the 2007-2008 school year, fifty-one
11 dollars (\$51.00) multiplied by the school district's average daily membership
12 for the previous school year; and

13 (b) For the 2008-2009 school year, an
14 additional thirty-six dollars (\$36.00) multiplied by the school district's
15 average daily membership for the previous school year, which when added to
16 the funding under subdivision (a)(2)(C)(i)(a) of this section represents an
17 approximate total for the 2008-2009 school year of eighty-seven dollars
18 (\$87.00) per average daily membership.

19 (ii) The additional funding provided by this
20 subdivision (a)(2)(C):

21 (a) Shall be distributed by the department in
22 eleven (11) monthly payments from funds appropriated by law and available for
23 distribution as state foundation funding aid; and

24 (b) Shall be known as "Enhanced Educational
25 Funding". The General Assembly has determined that Enhanced Educational
26 Funding provided for by this subdivision (a)(2)(C) is in addition to, and in
27 excess of, the amount of funds necessary to provide an adequate education as
28 required by the Arkansas Constitution. The Enhanced Educational Funding is
29 available from a combination of fortunate economic factors, conservative
30 budgeting of all state government, and the favorable forecast of state
31 revenues. As a result, the enhanced component of Enhanced Educational
32 Funding cannot be ensured and may not be relied on beyond the 2007-2009
33 biennium.

34 ~~(C) For the 2005-2006 school year and the 2006-2007 school~~
35 ~~year, the foundation funding amount provided under subdivisions (a)(2)(A) and~~
36 ~~(B) of this section shall be increased by forty two dollars (\$42.00)~~

1 multiplied by the district's average daily membership for the previous school
2 year to pay for increased school district costs resulting from the 2005-2006
3 and 2006-2007 increases in the employer's rate of contribution to the
4 Arkansas Teacher Retirement System from thirteen percent (13%) to fourteen
5 percent (14%).

6 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
7 General Assembly of the State of Arkansas that the 2006 Act 57 adequacy study
8 recommended that foundation funding be increased for the 2007-2008 and 2008-
9 2009 school years; that the method of calculating the state foundation
10 funding aid should be changed to ensure that all public school districts
11 receive the full amount of foundation funding plus an enhanced educational
12 component of additional funding above and beyond adequate foundation funding;
13 and that this act is immediately necessary to ensure that public school
14 districts receive said funding for the 2007-2009 biennium. Therefore, an
15 emergency is declared to exist and this act being immediately necessary for
16 the preservation of the public peace, health, and safety shall become
17 effective on July 1, 2007.

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19 /s/ Kenney

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21 APPROVED: 3/14/2007
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