

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

HOUSE BILL 1743

5 By: Representative Painter
6

For An Act To Be Entitled

8 AN ACT TO CREATE THE SUSTAINABLE BUILDING MAINTENANCE
9 PROGRAM FOR STATE-SUPPORTED INSTITUTIONS OF HIGHER
10 EDUCATION; AND FOR OTHER PURPOSES.
11

Subtitle

12 TO CREATE THE SUSTAINABLE BUILDING
13 MAINTENANCE PROGRAM FOR STATE-SUPPORTED
14 INSTITUTIONS OF HIGHER EDUCATION.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code Title 6, Chapter 62 is amended to add an
22 additional subchapter to read as follows:

23 Subchapter 12 – Sustainable Building Maintenance Program for State-Supported
24 Institutions of Higher Education

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26 6-62-1201. Sustainable Building Maintenance Program for State-
27 Supported Institutions of Higher Education.

28 (a) There is created the Sustainable Building Maintenance Program for
29 State-Supported Institutions of Higher Education.

30 (b) The program shall be administered by the Division of Higher
31 Education.
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33 6-62-1202. Loans.

34 (a) Under the Sustainable Building Maintenance Program for State-
35 Supported Institutions of Higher Education, the Division of Higher Education
36 may authorize money to be loaned from the Sustainable Building Maintenance



1 Program for State-Supported Institutions of Higher Education Revolving Loan
2 Fund, § 19-5-1277, to a state-supported institution of higher education.

3 (b) A loan from the fund made under subdivision (a) of this section
4 shall be:

5 (1) For:

6 (A) Deferred maintenance;

7 (B) Critical maintenance; or

8 (C) A renovation of state-owned property; and

9 (2) In an amount that exceeds one hundred thousand dollars
10 (\$100,000).

11 (c) The term for repayment of a loan from the fund made under
12 subsection (a) of this section shall not exceed ten (10) years.

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14 6-62-1203. Loan approval process.

15 (a)(1) An applicant for a loan from the Sustainable Building
16 Maintenance Program for State-Supported Institutions of Higher Education
17 Revolving Loan Fund under § 6-62-1202 shall apply for the loan on a form
18 approved by the Division of Higher Education.

19 (2) The division shall review an application submitted under
20 subdivision (a)(1) of this section to determine if the applicant satisfies
21 the eligibility criteria for a loan from the fund.

22 (b) The division shall provide an applicant for a loan from the fund
23 with written notice of its determination regarding whether to offer the
24 applicant a loan from the fund and any conditions for making the loan from
25 the fund.

26 (c) After an applicant for a loan from the fund has satisfied the
27 preconditions, if any, for the division's approval of the applicant's loan
28 application and has executed a contract for the loan from the fund, the
29 division shall present the contract for the loan from the fund to the
30 Arkansas Higher Education Coordinating Board for its approval.

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32 6-62-1204. Rules.

33 (a) The Division of Higher Education shall promulgate rules for the
34 implementation of this subchapter.

35 (b) The rules promulgated under subsection (a) of this section shall
36 include without limitation:

1 (1) Application forms for applicants applying for a loan from
 2 the Sustainable Building Maintenance Program for State-Supported Institutions
 3 of Higher Education Revolving Loan Fund under § 6-62-1202;

4 (2) Eligibility requirements for applicants applying for a loan
 5 from the fund under § 6-62-1202;

6 (3) Review standards; and

7 (4) Requirements for the issuance of a loan from the fund under
 8 this subchapter.

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 10 SECTION 2. Arkansas Code Title 19, Chapter 5, Subchapter 12, is
 11 amended to add an additional section to read as follows:

12 19-5-1277. Sustainable Building Maintenance Program for State-
 13 Supported Institutions of Higher Education Revolving Loan Fund.

14 (a) There is created on the books of the Treasurer of State, the
 15 Auditor of State, and the Chief Fiscal Officer of the State a miscellaneous
 16 fund to be known as the “Sustainable Building Maintenance Program for State-
 17 Supported Institutions of Higher Education Revolving Loan Fund”.

18 (b) The fund shall consist of:

19 (1) General revenues authorized by law;

20 (2) Funds transferred to it from the Development and Enhancement
 21 Fund;

22 (3) Other funds, gifts, bequests, foundation grants and gifts,
 23 Governor’s Emergency Fund or other emergency funds, federal grants and
 24 matching funds, proceeds from bond issues, services charges or fees,
 25 interagency transfers of funds; and

26 (4) Funds received from state-supported institutions of higher
 27 education to repay loans for the Sustainable Building Maintenance Program for
 28 State-Supported Institutions of Higher Education, § 6-62-1201 et seq.

29 (c) The fund shall be used to provide loans to state-supported
 30 institutions of higher education for the program as authorized under § 6-62-
 31 1201 et seq., and approved by the Arkansas Higher Education Coordinating
 32 Board.

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 35 **APPROVED: 4/12/23**