

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997  
4

# A Bill

ACT 954 OF 1997  
HOUSE BILL 1683

5 By: Representatives Wagner, Jones, Goodwin, Flanagan, Faris, Wren, Lavery, Choate, Newman, Broadway, Beatty, Ammons, Davis,  
6 Hunton, Kidd, Fletcher, Judy Smith, Capps, Wallis, Miller, Wilkinson, Roberts, Bennett, Shoffner, Ingram, McGee, Ferrell, Simon,  
7 Critcher, McJunkin, Thicksten, Walker, Simmons, Angel, McKissack, Maddox, Luker, George, Rorie, Dawson, Dietz, Harris, Lancaster,  
8 Purdom, Young, Baker, Terry Smith, Bush, Wilson, Madison, Schexnayder, Cunningham, Johnson, Horn, Allison, Pappas, McGehee,  
9 Booker, Brown, French, Dianne Hudson, Joe Hudson, Ingram, Lynn, Northcutt, Pollan, Rodgers, Stalnaker, Teague, Trammell, Vess,  
10 Malone, Magnus, and Wilkins

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## For An Act To Be Entitled

14 "AN ACT TO ALLOW STATE-SUPPORTED COLLEGES AND UNIVERSITIES  
15 TO USE AN ADDITIONAL THREE HUNDRED THOUSAND DOLLARS  
16 (\$300,000) PER YEAR OR THIRTY-FOUR DOLLARS (\$34.00) PER  
17 FULL-TIME EQUIVALENT STUDENT FROM THEIR UNRESTRICTED  
18 EDUCATIONAL AND GENERAL FUNDS FOR PROVIDING GENDER EQUITY  
19 IN INTERCOLLEGIATE ATHLETIC PROGRAMS; AND FOR OTHER  
20 PURPOSES."

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## Subtitle

23 "REGARDING THE USE OF UNRESTRICTED  
24 EDUCATIONAL AND GENERAL FUNDS FOR  
25 PROVIDING GENDER EQUITY IN  
26 INTERCOLLEGIATE ATHLETIC PROGRAMS."

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

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30 SECTION 1. Arkansas Code 6-62-802(3) is amended to read as follows:

31 "(3) Athletic deficit means athletic expenditures offset by athletic  
32 revenues, including:

33 (A) Athletic-generated income;

34 (B) Profits from other auxiliary enterprises;

35 (C) The federally funded portion of college work-study students in the  
36 intercollegiate athletic program;

1 (D) Transfers from funds other than the unrestricted  
 2 educational and general fund; and

3 (E) The allowable ~~four hundred fifty thousand dollars (\$450,000)~~  
 4 unrestricted educational and general transfer for four-year institutions, ~~or~~  
 5 ~~the allowable fifty-one dollars (\$51.00) per full-time equivalent student per~~  
 6 ~~year~~ for two-year branches of four-year institutions, and at other two-year  
 7 institutions of higher education."

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9 SECTION 2. Arkansas Code 6-62-803 is amended to read as follows:

10 "§ 6-62-803. Limits on funding.

11 (a) Beginning in fiscal year 1991-1992, the amount of unrestricted  
 12 educational and general fund for intercollegiate athletic programs at state-  
 13 supported institutions of higher education shall be limited to four hundred  
 14 fifty thousand dollars (\$450,000) at four-year institutions and fifty-one  
 15 dollars (\$51.00) per full-time-equivalent student per year at two-year  
 16 branches of four-year institutions, and at other two-year institutions of  
 17 higher education.

18 (b) Beginning in fiscal year 1997-1998, in addition to the amount  
 19 prescribed in subsection (a) of this section, state-supported four-year  
 20 institutions of higher education may use an additional three hundred thousand  
 21 dollars (\$300,000) per fiscal year of unrestricted educational and general  
 22 funds to provide gender equity in intercollegiate athletic programs, and two-  
 23 year branches of the four-year institutions and other two-year institutions of  
 24 higher education may use an additional amount of unrestricted educational and  
 25 general funds for providing gender equity in intercollegiate athletic programs  
 26 in the amount of thirty-four dollars (\$34.00) per full-time equivalent student  
 27 per year."

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29 SECTION 3. All provisions of this act of a general and permanent nature  
 30 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
 31 Revision Commission shall incorporate the same in the Code.

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33 SECTION 4. If any provision of this act or the application thereof to  
 34 any person or circumstance is held invalid, such invalidity shall not affect  
 35 other provisions or applications of the act which can be given effect without  
 36 the invalid provision or application, and to this end the provisions of this

1 act are declared to be severable.

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3 SECTION 5. All laws and parts of laws in conflict with this act are  
4 hereby repealed.

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6 SECTION 6. EMERGENCY. It is hereby found and determined by the  
7 General Assembly that the state-supported institutions of higher education  
8 should be authorized to utilize additional unrestricted educational and  
9 general funds for providing gender equity in intercollegiate athletic  
10 programs; that such authority should begin at the beginning of the next fiscal  
11 year; that this act grants such authority; and that this act will not go into  
12 effect until after the beginning of the next fiscal year unless this emergency  
13 clause is adopted. Therefore, an emergency is hereby declared to exist and  
14 this act being immediately necessary for the preservation of the public peace,  
15 health and safety shall be in full force and effect from and after July 1,  
16 1997.

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APPROVED: 3-31-97

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