1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011

A Bill

SENATE BILL 438

4
5 By: Senator Laverty
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7   **For An Act To Be Entitled**
8   AN ACT TO PROHIBIT THE DEPARTMENT OF EDUCATION FROM
9   RECOUPING NET REVENUES FROM THE UNIFORM RATE OF TAX
10   IF THE SCHOOL DISTRICT'S NET REVENUE EXCEEDS THE
11   FOUNDATION FUNDING AMOUNT; AND FOR OTHER PURPOSES.
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14   **Subtitle**
15   TO PROHIBIT THE DEPARTMENT OF EDUCATION
16   FROM RECOUPING NET REVENUES FROM THE
17   UNIFORM RATE OF TAX IF THE SCHOOL
18   DISTRICT'S NET REVENUE EXCEEDS THE
19   FOUNDATION FUNDING AMOUNT.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24   SECTION 1. Arkansas Code § 6-20-2306 is amended to read as follows:
25   6-20-2306. Department of Education to provide funding — Adjustments
26 for overpayments.
27   (a)(1) If the Department of Education determines that an overpayment
28 has been made to a school district under any appropriation authorized by this
29 subchapter, the department may:
30   (1)(A) Withhold the overpayment from subsequent state
31 funding;
32   (2)(B) Transfer the amount withheld for the overpayment to
33 the line item appropriation from which the overpayment was initially made; or
34   (3)(C) Request a refund from the school district in the
35 amount of the overpayment.
36   (b)(2) The school district shall comply as directed by the

1 department.

2   (b) The department shall not recoup any foundation funding from a

3 school district that has net revenue, as that term is defined under § 6-20-

4 2303, that exceeds the foundation funding amount for the school district

5 under § 6-20-2305.

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7   SECTION 2. DO NOT CODIFY. This act shall apply to any action

8 initiated by the Department of Education to recoup revenues from the uniform

9 rate of tax from a public school district in the 2010-2011 school year and

10 thereafter.

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