

1 State of Arkansas
2 88th General Assembly
3 Fiscal Session, 2012
4

As Engrossed: H2/28/12

A Bill

HOUSE BILL 1163

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO AMEND THE ARKANSAS REVENUE STABILIZATION
9 LAW; AND FOR OTHER PURPOSES.
10

Subtitle

11 AN ACT TO AMEND THE ARKANSAS REVENUE
12 STABILIZATION LAW OF ARKANSAS.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code § 19-5-303 concerning the creation of
20 Institutions of higher education funds, is amended to add the following
21 subsections:

22 (gg)(1) Ozarka College Fund. There is established on the books of the
23 Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the
24 State a fund to be known as the "Ozarka College Fund".

25 (2) The Ozarka College Fund shall be used for the maintenance,
26 operation, and improvement of Ozarka College.

27 (3) The Ozarka College Fund shall consist of:

28 (A) Those general revenues as may be provided by law; and

29 (B) Any other funds made available for the support of Ozarka
30 College which are required to be deposited into the State Treasury by law.

31 (hh)(1) Southeast Arkansas College Fund. There is established on the
32 books of the Treasurer of State, the Auditor of State, and the Chief Fiscal
33 Officer of the State a fund to be known as the "Southeast Arkansas College
34 Fund".

35 (2) The Southeast Arkansas College Fund shall be used for the
36 maintenance, operation, and improvement of the Southeast Arkansas College.



1 (3) The Southeast Arkansas College Fund shall consist of:

2 (A) Those general revenues as may be provided by law; and

3 (B) Any other funds made available for the support of the
 4 Southeast Arkansas College which are required to be deposited into the State
 5 Treasury by law.

6 (ii)(1) College of The Ouachitas Fund. There is established on the
 7 books of the Treasurer of State, the Auditor of State, and the Chief Fiscal
 8 Officer of the State a fund to be known as the "College of The Ouachitas
 9 Fund".

10 (2) The College of The Ouachitas Fund shall be used for the
 11 maintenance, operation, and improvement of the College of The Ouachitas.

12 (3) The College of The Ouachitas Fund shall consist of:

13 (A) Those general revenues as may be provided by law; and

14 (B) Any other funds made available for the support of the
 15 College of The Ouachitas which are required to be deposited into the State
 16 Treasury by law.

17
 18 SECTION 2. Arkansas Code § 19-5-311 concerning the creation of
 19 Technical college funds, is amended to read as follows:
 20 19-5-311. Technical college funds created.

21 (a)(1) There is established on the books of the Treasurer of State, the
 22 Auditor of State, and the Chief Fiscal Officer of the State a fund to be
 23 known as the "Black River Technical College Fund", there to be used for the
 24 maintenance, operation, and improvement of the Black River Technical College.

25 (2) The Black River Technical College Fund shall consist of:

26 (A) Those general revenues as may be provided by law; and

27 (B) Any other funds made available for the support of the Black
 28 River Technical College which are required to be deposited into the State
 29 Treasury by law.

30 ~~(b)(1) There is established on the books of the Treasurer of State, the~~
 31 ~~Auditor of State, and the Chief Fiscal Officer of the State a fund to be~~
 32 ~~known as the "Ozarka College Fund", there to be used for the maintenance,~~
 33 ~~operation, and improvement of Ozarka College.~~

34 ~~(2) The Ozarka College Fund shall consist of:~~

35 ~~(A) Those general revenues as may be provided by law; and~~

36 ~~(B) Any other funds made available for the support of Ozarka~~

1 ~~College which are required to be deposited into the State Treasury by law.~~

2 ~~—— (c)(1) There is established on the books of the Treasurer of State, the~~
 3 ~~Auditor of State, and the Chief Fiscal Officer of the State a fund to be~~
 4 ~~known as the “Southeast Arkansas College Fund”. The fund shall be used for~~
 5 ~~the maintenance, operation, and improvement of the Southeast Arkansas~~
 6 ~~College.~~

7 ~~—— (2) The Southeast Arkansas College Fund shall consist of:~~

8 ~~—— (A) Those general revenues as may be provided by law; and~~

9 ~~—— (B) Any other funds made available for the support of the~~

10 ~~Southeast Arkansas College which are required to be deposited into the State~~
 11 ~~Treasury by law.~~

12 ~~—— (d)(b)(1) There is established on the books of the Treasurer of State, the~~
 13 ~~Auditor of State, and the Chief Fiscal Officer of the State a fund to be~~
 14 ~~known as the “Pulaski Technical College Fund”, there to be used for the~~
 15 ~~maintenance, operation, and improvement of the Pulaski Technical College.~~

16 (2) The Pulaski Technical College Fund shall consist of:

17 (A) Those general revenues as may be provided by law; and

18 (B) Any other funds made available for the support of the

19 Pulaski Technical College which are required to be deposited into the State
 20 Treasury by law.

21 ~~—— (e)(1) There is established on the books of the Treasurer of State, the~~
 22 ~~Auditor of State, and the Chief Fiscal Officer of the State a fund to be~~
 23 ~~known as the “Ouachita Technical College Fund”, there to be used for the~~
 24 ~~maintenance, operation, and improvement of the Ouachita Technical College.~~

25 ~~—— (2) The Ouachita Technical College Fund shall consist of:~~

26 ~~—— (A) Those general revenues as may be provided by law; and~~

27 ~~—— (B) Any other funds made available for the support of the~~

28 ~~Ouachita Technical College which are required to be deposited into the State~~
 29 ~~Treasury by law.~~

30
 31 SECTION 3. Arkansas Code § 19-5-1103(b) concerning the Property Tax
 32 Relief Trust Fund, is amended to read as follows:

33 (b) The fund shall consist of such revenues as generated by §§ 26-52-
 34 302(c), 26-52-317(c)(1)(B), 26-52-319(a)(3)(B), 26-53-107(c), 26-53-
 35 145(c)(1)(B), 26-53-148(a)(3)(B), 26-56-201(g)(1)(C) and 26-56-224(c)(2), and
 36 shall be used for such purposes as set out in § 26-26-310.

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2 SECTION 4. Arkansas Code § 19-5-1227(b)(3) concerning the Educational
3 Adequacy Fund, is amended to read as follows:

4 (3) The revenues generated by §§ 26-52-302(d), 26-52-316, 26-52-
5 317(c)(1)(C), 26-52-319(a)(3)(C), 26-53-107(d), 26-53-145(c)(1)(C), 26-53-
6 148(a)(3)(C), 26-56-201(g)(1)(B), 26-56-224(c)(3), and 26-57-
7 1002(d)(1)(A)(ii); and

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9 SECTION 5. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
10 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. Any funds appropriated by
11 the Eighty-Eighth General Assembly from the Ouachita Technical College Fund
12 shall be deemed payable from the College of The Ouachitas Fund.

13
14 SECTION 6. Arkansas Code 19-5-401 is amended to read as follows:

15 19-5-401. Allocations for fiscal year 2012-2013 and thereafter.
16 Commencing with the fiscal year beginning July 1, 2012, and each fiscal year
17 thereafter, the Treasurer of State shall transfer all remaining general
18 revenues available for distribution on the last day of business in July 2012,
19 and on the last day of business in each calendar month thereafter during the
20 fiscal year to the various funds and fund accounts participating in general
21 revenues in the proportions of the maximum allocation as the individual
22 allocation to the fund or fund account bears to the total of the maximum
23 allocation as provided in § 19-5-402 (a).

24
25 SECTION 7. Arkansas Code 19-5-402 is amended to read as follows:

26 19-5-402. Maximum allocations of revenues for fiscal year 2012-2013 and
27 thereafter.

28 (a) The Treasurer of State shall first make monthly allocations in the
29 proportions set out in this subsection to the funds and fund accounts listed
30 below until there has been transferred a total of four billion seven hundred
31 twenty-seven million five hundred thousand dollars (\$4,727,500,000) or so
32 much thereof as may become available; provided, that the Treasurer of State
33 shall make such monthly allocations in accordance with each fund or fund
34 account's proportionate part of the total of all such allocations set forth
35 in this subsection:

36 Name of Fund or Fund Account

Maximum Allocation

1		
2	<i>PUBLIC SCHOOL FUND</i>	
3	<i>(1) Department of Education Public School Fund Account</i>	<i>\$1,961,576,841</i>
4	<i>(2) State Library Public School Fund Account</i>	<i>\$ 5,672,143</i>
5	<i>(3) Department of Career Education Public</i>	
6	<i>School Fund Account</i>	<i>\$ 32,284,224</i>
7		
8	<i>GENERAL EDUCATION FUND</i>	
9	<i>(1) Department of Education Fund Account</i>	<i>\$ 15,471,687</i>
10	<i>(2) Educational Facilities Partnership Fund Account</i>	<i>\$ 34,828,951</i>
11	<i>(3) Division of Public School Academic Facilities</i>	
12	<i>and Transportation Fund Account</i>	<i>\$ 2,492,317</i>
13	<i>(4) Educational Television Fund Account</i>	<i>\$ 5,075,556</i>
14	<i>(5) School for the Blind Fund Account</i>	<i>\$ 6,110,288</i>
15	<i>(6) School for the Deaf Fund Account</i>	<i>\$ 10,457,470</i>
16	<i>(7) State Library Fund Account</i>	<i>\$ 3,345,374</i>
17	<i>(8) Department of Career Education Fund Account</i>	<i>\$ 3,341,028</i>
18	<i>(9) Rehabilitation Services Fund Account</i>	<i>\$ 12,953,772</i>
19	<i>Technical Institutes:</i>	
20	<i>(10) Crowley's Ridge Technical Institute Fund Account</i>	<i>\$ 2,498,384</i>
21	<i>(11) Northwest Technical Institute Fund Account</i>	<i>\$ 2,908,129</i>
22	<i>(12) Riverside Vocational Technical School Fund Account</i>	<i>\$ 2,226,907</i>
23		
24	<i>DEPARTMENT OF HUMAN SERVICES FUND</i>	
25	<i>(1) Department of Human Services Administration</i>	
26	<i>Fund Account</i>	<i>\$ 15,637,721</i>
27	<i>(2) Aging and Adult Services Fund Account</i>	<i>17,391,126</i>
28	<i>(3) Children and Family Services Fund Account</i>	<i>49,511,800</i>
29	<i>(4) Child Care and Early Childhood Education</i>	
30	<i>Fund Account</i>	<i>563,454</i>
31	<i>(5) Youth Services Fund Account</i>	<i>48,255,346</i>
32	<i>(6) Developmental Disabilities Services Fund Account</i>	<i>61,773,664</i>
33	<i>(7) Medical Services Fund Account</i>	<i>4,958,217</i>
34	<i>(8) Department of Human Services Grants Fund Account</i>	<i>805,960,522</i>
35	<i>(9) Behavioral Health Services Fund Account</i>	<i>78,502,870</i>
36	<i>(10) State Services for the Blind Fund Account</i>	<i>1,880,943</i>

1	(11) County Operations Fund Account	47,191,028
2		
3	STATE GENERAL GOVERNMENT FUND	
4	(1) Department of Arkansas Heritage Fund Account	\$ 6,203,610
5	(2) Arkansas Agriculture Department Fund Account	15,851,863
6	(3) Department of Labor Fund Account	3,005,407
7	(4) Department of Higher Education Fund Account	3,291,808
8	(5) Higher Education Grants Fund Account	34,491,806
9	(6) Arkansas Economic Development Commission	
10	Fund Account	10,311,798
11	(7) Department of Correction Inmate Care	
12	and Custody Fund Account	298,842,000
13	(8) Department of Community Correction Fund Account	69,975,623
14	(9) State Military Department Fund Account	9,466,483
15	(10) Parks and Tourism Fund Account	22,607,437
16	(11) Arkansas Department of Environmental Quality	
17	Fund Account	4,210,633
18	(12) Miscellaneous Agencies Fund Account	56,788,049
19		
20	COUNTY AID FUND	\$ 19,645,067
21	COUNTY JAIL REIMBURSEMENT FUND	\$ 9,453,607
22	CRIME INFORMATION SYSTEM FUND	\$ 3,681,833
23	CHILD SUPPORT ENFORCEMENT FUND	\$ 12,951,328
24	PUBLIC HEALTH FUND	\$ 90,838,467
25	MERIT ADJUSTMENT FUND	\$ -
26	MOTOR VEHICLE ACQUISITION REVOLVING FUND	\$ -
27	MUNICIPAL AID FUND	\$ 27,372,099
28	DEPARTMENT OF ARKANSAS STATE POLICE FUND	\$ 62,293,971
29	DEPARTMENT OF WORKFORCE SERVICES FUND	\$ 3,775,642
30		
31	INSTITUTIONS OF HIGHER EDUCATION	
32	(1) ARKANSAS STATE UNIVERSITY FUND	\$ 56,856,765
33	(2) ARKANSAS TECH UNIVERSITY FUND	\$ 31,535,222
34	(3) HENDERSON STATE UNIVERSITY FUND	\$ 18,713,847
35	(4) SOUTHERN ARKANSAS UNIVERSITY FUND	\$ 15,449,575
36	(5) UNIVERSITY OF ARKANSAS FUND	\$ 116,761,613

1	(6) UNIVERSITY OF ARKANSAS FUND-ARCHEOLOGICAL SURVEY	\$ 2,327,380
2	(7) UNIVERSITY OF ARKANSAS FUND-DIVISION OF	
3	AGRICULTURE	\$ 62,800,138
4	(8) UNIVERSITY OF ARKANSAS FUND-CLINTON SCHOOL	\$ 2,295,575
5	(9) UNIVERSITY OF ARKANSAS FUND-CRIMINAL JUSTICE	
6	INSTITUTE	\$ 1,825,769
7	(10) SCHOOL FOR MATH, SCIENCE AND ARTS FUND	\$ 1,113,015
8	(11) UNIVERSITY OF ARKANSAS AT FORT SMITH FUND	\$ 20,245,166
9	(12) UNIVERSITY OF ARKANSAS AT LITTLE ROCK FUND	\$ 59,841,915
10	(13) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND	\$ 95,656,661
11	(14) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND -	
12	CHILD SAFETY CENTER	\$ 720,588
13	(15) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND -	
14	INDIGENT CARE	\$ 5,342,181
15	(16) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND -	
16	CHILD ABUSE/RAPE/DOMESTIC VIOLENCE	\$ 735,000
17	(17) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND -	
18	PEDIATRICS/PSYCHIATRIC RESEARCH	\$ 1,950,000
19	(18) UNIVERSITY OF ARKANSAS AT MONTICELLO FUND	\$ 15,832,510
20	(19) UNIVERSITY OF ARKANSAS AT PINE BLUFF FUND	\$ 25,229,737
21	(20) UNIVERSITY OF CENTRAL ARKANSAS FUND	\$ 52,284,021
22	(21) ARKANSAS NORTHEASTERN COLLEGE FUND	\$ 8,577,052
23	(22) ARKANSAS STATE UNIVERSITY - BEEBE FUND	\$ 12,044,916
24	(23) ARKANSAS STATE UNIVERSITY - MOUNTAIN HOME FUND	\$ 3,582,223
25	(24) ARKANSAS STATE UNIVERSITY - NEWPORT FUND	\$ 5,992,293
26	(25) COSSATOT COMMUNITY COLLEGE OF THE UNIVERSITY	
27	OF ARKANSAS FUND	\$ 3,351,626
28	(26) EAST ARKANSAS COMMUNITY COLLEGE FUND	\$ 5,788,058
29	(27) MID-SOUTH COMMUNITY COLLEGE FUND	\$ 3,818,117
30	(28) NATIONAL PARK COMMUNITY COLLEGE FUND	\$ 8,943,803
31	(29) NORTH ARKANSAS COLLEGE FUND	\$ 7,966,091
32	(30) NORTHWEST ARKANSAS COMMUNITY COLLEGE FUND	\$ 10,084,563
33	(31) PHILLIPS COMMUNITY COLLEGE OF THE UNIVERSITY	
34	OF ARKANSAS FUND	\$ 9,063,088
35	(32) RICH MOUNTAIN COMMUNITY COLLEGE FUND	\$ 3,201,250
36	(33) SAU - TECH FUND	\$ 5,639,168

1	(34) SAU - TECH FUND-ENVIRONMENTAL CONTROL CENTER	\$	368,404
2	(35) SAU - TECH FUND-FIRE TRAINING ACADEMY	\$	1,651,221
3	(36) SOUTH ARKANSAS COMMUNITY COLLEGE FUND	\$	5,994,316
4	(37) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT		
5	BATESVILLE FUND	\$	4,050,586
6	(38) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT		
7	HOPE FUND	\$	4,491,997
8	(39) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT		
9	MORRILTON FUND	\$	4,787,010
10	(40) BLACK RIVER TECHNICAL COLLEGE FUND	\$	6,049,404
11	(41) COLLEGE OF THE OUACHITAS FUND	\$	3,527,261
12	(42) OZARKA COLLEGE FUND	\$	2,988,694
13	(43) PULASKI TECHNICAL COLLEGE FUND	\$	14,457,088
14	(44) SOUTHEAST ARKANSAS COLLEGE FUND	\$	5,636,798

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16 SECTION 8. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
 17 SEPARATELY AS SPECIAL, LOCAL OR TEMPORARY LAW. FUND TRANSFER. Immediately
 18 upon the effective date of this Act, and notwithstanding the provisions of
 19 A.C.A. 18-28-213 (c)(2) regarding the transfer of funds from the Unclaimed
 20 Property Proceeds Trust Fund to the general revenues of the state, the
 21 Auditor of State shall transfer on his or her books and those of the State
 22 Treasurer and the Chief Fiscal Officer of State the sum of one million five
 23 hundred thousand dollars (\$1,500,000) from the Unclaimed Property Proceeds
 24 Trust Fund to the Mid-South Community College Fund to be expensed from the
 25 Arkansas Delta Training and Education Consortium, the Arkansas Delta Training
 26 and Education Consortium Partners, and the University Center Partners
 27 appropriations.

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29 SECTION 9. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
 30 SEPARATELY AS SPECIAL, LOCAL OR TEMPORARY LAW. FUND TRANSFER. Immediately
 31 upon the effective date of this Act, and notwithstanding the provisions of
 32 A.C.A. 18-28-213 (c)(2) regarding the transfer of funds from the Unclaimed
 33 Property Proceeds Trust Fund to the general revenues of the state, the
 34 Auditor of State shall transfer on his or her books and those of the State
 35 Treasurer and the Chief Fiscal Officer of State the sum of one million
 36 dollars (\$1,000,000) from the Unclaimed Property Proceeds Trust Fund to the

1 Higher Education Grants Fund Account to provide additional funding for
2 scholarships.

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4 SECTION 10. EFFECTIVE DATE. This act is effective on and after July 1,
5 2012.

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/s/Joint Budget Committee

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