

1 State of Arkansas
2 94th General Assembly
3 Fiscal Session, 2024

A Bill

SENATE BILL 72

4
5 By: Joint Budget Committee

For An Act To Be Entitled

8 AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
9 IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF
10 COMMERCE; AND FOR OTHER PURPOSES.

Subtitle

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13 AN ACT FOR THE DEPARTMENT OF COMMERCE
14 REAPPROPRIATION.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. REAPPROPRIATION - ECONOMIC DEVELOPMENT INCENTIVE PROGRAM -
21 CREATE REBATE. There is hereby appropriated, to the Department of Commerce -
22 Arkansas Economic Development Commission, to be payable from the Economic
23 Development Incentive Fund of the Arkansas Economic Development Commission
24 the following:

25 (A) Effective July 1, 2024, the balance of the appropriation provided
26 in Item (A) of Section 1 of Act 228 of 2023, for financial incentives to
27 companies locating a new facility or expanding an existing facility with the
28 State of Arkansas and for companies that hire and maintain specified levels
29 of employment, as identified in signed financial agreements with the
30 Department of Commerce - Arkansas Economic Development Commission, in a sum
31 not to exceed\$37,500,000.
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33 SECTION 2. REAPPROPRIATION - CAPITAL IMPROVEMENT PROJECTS - SKILLS
34 DEVELOPMENT FUND. There is hereby appropriated, to the Department of
35 Commerce, to be payable from the Skills Development Fund of the Department of
36 Commerce - Office of Skills Development the following:



1 (A) Effective July 1, 2024, the balance of the appropriation provided
2 in Item (A) of Section 1 of Act 617 of 2023, for acquisition of property,
3 operations, debt service, personal services, construction and equipping of
4 the Arkansas Manufacturing and Robotics Center, in a sum not to exceed
5\$42,000,000.

6 (B) Effective July 1, 2024, the balance of the appropriation provided
7 in Item (B) of Section 1 of Act 617 of 2023, for personal services, operating
8 expenses, payment of debt service, construction, acquisition, equipment, and
9 grants for comprehensive statewide workforce development programs, in a sum
10 not to exceed\$28,000,000.

11 (C) Effective July 1, 2024, the balance of the appropriation provided
12 in Item (A) of Section 1 of Act 225 of 2023, for personal services, operating
13 expenses, equipment and grants for comprehensive statewide workforce
14 development programs, in a sum not to exceed\$40,000,000.

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16 SECTION 3. REAPPROPRIATION - MINORITY AND WOMEN-OWNED BUSINESS LOAN
17 MOBILIZATION. There is hereby appropriated, to the Department of Commerce,
18 to be payable from the Minority and Women-Owned Business Loan Mobilization
19 Revolving Fund, for the Department of Commerce - Arkansas Economic
20 Development Commission the following:

21 (A) Effective July 1, 2024, the balance of the appropriation provided
22 in Item (A) of Section 2 of Act 225 of 2023, for promoting the development of
23 minority business enterprises in the State, increasing the ability of
24 minority business enterprises to compete for state contracts, and sustaining
25 the economic growth of minority business enterprises in the State, in a sum
26 not to exceed\$202,578.

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28 SECTION 4. REAPPROPRIATION - QUICK ACTION CLOSING FUND. There is
29 hereby appropriated, to the Department of Commerce, to be payable from the
30 Economic Development Incentive Quick Action Closing Fund, for the Department
31 of Commerce - Arkansas Economic Development Commission the following:

32 (A) Effective July 1, 2024, the balance of the appropriation provided
33 in Item (A) of Section 3 of Act 225 of 2023, for incentives to attract new
34 business and economic development to the State, in a sum not to exceed
35\$16,471,594.

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1 SECTION 5. REAPPROPRIATION - CAPITAL IMPROVEMENT PROJECTS, GRANTS AND
2 PROGRAMS. There is hereby appropriated, to the Department of Commerce, to be
3 payable from the Development and Enhancement Fund, for the Department of
4 Commerce - Arkansas Economic Development Commission the following:

5 (A) Effective July 1, 2024, the balance of the appropriation provided
6 in Item (A) of Section 5 of Act 225 of 2023, for the purpose of providing
7 grants and/or loans to state agencies, cities, counties, community-based non-
8 profit organizations and other entities determined by the Department of
9 Commerce - Arkansas Economic Development Commission to be eligible to: (1)
10 undertake public works projects and/or job training efforts which support
11 private sector job creation opportunities; (2) alleviate conditions which
12 constitute a threat to public health and wellbeing; (3) partially defray the
13 cost of providing access to publicly owned industrial parks, and/or
14 technology parks; (4) provide for the expansion of the aircraft and aerospace
15 industry; (5) provide for port, rail and waterway economic development
16 projects; (6) provide for technology based economic development projects; (7)
17 provide for industrial site development costs (including, but not limited to
18 land acquisition, construction, renovation, and equipment acquisition); (8)
19 provide for development of intermodal facilities (including, but not limited
20 to port and/or waterway projects, rail spur construction and/or road and
21 highway improvement); (9) pay the costs of environmental mitigation projects;
22 (10) provide for construction and/or improvement of water and sewer systems,
23 in a sum not to exceed\$3,167,500.

24 (B) Effective July 1, 2024, the balance of the appropriation provided
25 in Item (C) of Section 5 of Act 225 of 2023, for funding for grants and/or
26 loans to state agencies, cities, counties, community-based non-profit
27 organizations and other eligible entities to support economic stimulus
28 activities throughout the state, in a sum not to exceed\$933,115.

29 (C) Effective July 1, 2024, the balance of the appropriation provided
30 in Item (B) of Section 6 of Act 225 of 2023, for grant matching funds and/or
31 loans to state agencies, cities, counties, community-based non-profit
32 organizations and other eligible entities applying for consideration with a
33 granting organization that requires matching funds for projects, to maximize
34 contributions, provide cash assistance, or match contributions to ensure
35 grant funding or contract, in a sum not to exceed\$300,000.

36 (D) Effective July 1, 2024, the balance of the appropriation provided

1 in Item (C) of Section 6 of Act 225 of 2023, for the purpose of providing
 2 grants and/or loans to state agencies, cities, counties, community-based non-
 3 profit organizations and other entities determined by the Arkansas Economic
 4 Development Commission to be eligible to: (1) undertake public works projects
 5 and/or job training efforts which support private sector job creation
 6 opportunities; (2) alleviate conditions which constitute a threat to public
 7 health and wellbeing; (3) partially defray the cost of providing access to
 8 publicly owned industrial parks, and/or technology parks; (4) provide for the
 9 expansion of the aircraft and aerospace industry; (5) provide for port, rail
 10 and waterway economic development projects; (6) provide for technology based
 11 economic development projects; (7) provide for industrial site development
 12 costs (including, but not limited to land acquisition, construction,
 13 renovation, and equipment acquisition); (8) provide for development of
 14 intermodal facilities (including, but not limited to port and/or waterway
 15 projects, rail spur construction and/or road and highway improvement); (9)
 16 pay the costs of environmental mitigation projects; (10) provide for
 17 construction and/or improvement of water and sewer systems, in a sum not to
 18 exceed\$375,000.

19 (E) Effective July 1, 2024, the balance of the appropriation provided
 20 in Item (E) of Section 6 of Act 225 of 2023, for allocation by the Executive
 21 Director of the Economic Development Commission for activities associated
 22 with the implementation of the State’s strategic plan for economic
 23 development, in a sum not to exceed\$130,100.

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 25 SECTION 6. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
 26 obligations otherwise incurred in relation to the project or projects
 27 described herein in excess of the State Treasury funds actually available
 28 therefor as provided by law. Provided, however, that institutions and
 29 agencies listed herein shall have the authority to accept and use grants and
 30 donations including Federal funds, and to use its unobligated cash income or
 31 funds, or both available to it, for the purpose of supplementing the State
 32 Treasury funds for financing the entire costs of the project or projects
 33 enumerated herein. Provided further, that the appropriations and funds
 34 otherwise provided by the General Assembly for Maintenance and General
 35 Operations of the agency or institutions receiving appropriation herein shall
 36 not be used for any of the purposes as appropriated in this act.

1 (B) The restrictions of any applicable provisions of the State
2 Purchasing Law, the General Accounting and Budgetary Procedures Law, the
3 Revenue Stabilization Law and any other applicable fiscal control laws of
4 this State and regulations promulgated by the Department of Finance and
5 Administration, as authorized by law, shall be strictly complied with in
6 disbursement of any funds provided by this act unless specifically provided
7 otherwise by law.

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9 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General
10 Assembly that any funds disbursed under the authority of the appropriations
11 contained in this act shall be in compliance with the stated reasons for
12 which this act was adopted, as evidenced by the Agency Requests, Executive
13 Recommendations and Legislative Recommendations contained in the budget
14 manuals prepared by the Department of Finance and Administration, letters, or
15 summarized oral testimony in the official minutes of the Arkansas Legislative
16 Council or Joint Budget Committee which relate to its passage and adoption.

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18 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General
19 Assembly, that the Constitution of the State of Arkansas prohibits the
20 appropriation of funds for more than a one (1) year period; that the
21 effectiveness of this Act on July 1, 2024 is essential to the operation of
22 the agency for which the appropriations in this Act are provided, and that in
23 the event of an extension of the legislative session, the delay in the
24 effective date of this Act beyond July 1, 2024 could work irreparable harm
25 upon the proper administration and provision of essential governmental
26 programs. Therefore, an emergency is hereby declared to exist and this Act
27 being necessary for the immediate preservation of the public peace, health
28 and safety shall be in full force and effect from and after July 1, 2024.