

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Joint Budget Committee**

A Bill ACT 76 OF 1991
SENATE BILL 191

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7 **For An Act To Be Entitled**

8 "AN ACT TO AMEND ARKANSAS CODE TITLE 19, CHAPTER 6,
9 SUBCHAPTERS 3 AND 4, THE REVENUE CLASSIFICATION LAW OF
10 ARKANSAS; AND FOR OTHER PURPOSES."

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

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14 SECTION 1. SPECIAL REVENUES ENUMERATED. Arkansas Code 19-6-301(22),
15 (24) and (69) are hereby amended to read as follows:

16 "(22) Drivers' Search Fees, as enacted by Act 465 of 1977, and all laws
17 amendatory thereto, §27-50-901 et seq.; and Act 241 of 1989, §§27-23-118(b)(2)
18 and 27-23-118(c)(2);";

19 "(24) Private Career Education School Licenses and Fees, as enacted by
20 Act 906 of 1989, and all laws amendatory thereto, §6-51-610;";

21 "(69) The remainder of Health Department vital statistic fees and other
22 specified fees, as set out in §20-7-123, which are not required to be
23 deposited in the State Health Department Building and Local Grant Trust Fund
24 (§20-7-203), as authorized by Section 13 of Act 469 of 1965 and Section 9 of
25 Act 686 of 1977;";

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27 SECTION 2. SPECIAL REVENUES ENUMERATED. Arkansas Code Title 19,
28 Chapter 6, Subchapter 3 is hereby amended by adding the following new
29 subdivisions:

30 "(147) Breath Testing Instrument Maintenance Fees, §20-7-128;

31 (148) That portion of Commercial Driver License Application Fees, §27-
32 23-118(a)(1), and Driver Search Fees, §§27-23-118(b)(1) and 27-23-118(c)(1);
33 and all fines, forfeitures and penalties collected under the Arkansas Uniform
34 Commercial Driver License Act; §27-23-118(d);

35 (149) That portion of Commercial Driver License Application Fees, §27-
36 23-118(a)(2);

1 (150) Commercial Driver License Examination Fees, §27-23-110(d) and
2 temporary permit fees, §27-16-803(c)(4); and that portion of Commercial Driver
3 License Application Fees, §27-23-118(a)(3);

4 (151) Uninsured Children's Program Annual Enrollment Fees, §20-77-605;

5 (152) Additional court costs of fifty dollars (\$50) for any person who
6 pleads guilty or nolo contendere or is found guilty of possessing a controlled
7 substance or counterfeit substance under §5-64-401(c), §5-64-709(a);

8 (153) Regulated Substance Storage Tank License Fees and that portion of
9 annual registration fees, §8-7-802(6); civil penalties collected under §8-7-
10 806; and that portion of costs collected under §8-7-807;

11 (154) Land Disposal Fees, §8-6-606;

12 (155) That portion of Driver's License Reinstatement Fees for the
13 Department of Health - Blood Alcohol Program, §5-65-104(c);

14 (156) Additional Municipal Court Civil Action filing fee of twenty-five
15 cents (25¢), §16-17-123;

16 (157) Child Care Facility Fines and Penalties, §20-78-219"

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18 SECTION 3. Arkansas Code 19-6-404 is hereby amended to read as follows:

19 "19-6-404. Department of Arkansas State Police Fund.

20 The Department of Arkansas State Police Fund shall consist of those
21 special revenues as specified in subdivisions (1), (5), (7), (8), (9), (37),
22 (38), (40), (56), (128) and (150) of §19-6-301, and those general revenues as
23 may be provided by law, there to be used for the maintenance, operation, and
24 improvement of the Department of Arkansas State Police in carrying out the
25 functions, powers, and duties as set out by §12-8-106 or other duties imposed
26 by law upon the Department of Arkansas State Police."

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28 SECTION 4. SPECIAL REVENUE FUNDS CREATED. Arkansas Code Title 19,
29 Chapter 6, Subchapter 4 is hereby amended by adding the following new
30 sections:

31 "19-6-459. Commercial Driver License Fund.

32 The Commercial Driver License Fund shall consist of those special
33 revenues as specified in Subdivision (148) of §19-6-301, there to be used to
34 establish and maintain the Arkansas Commercial Driver License Program, and for
35 other related purposes as required by the Commissioner in carrying out the

1 functions, powers, and duties of the Revenue Division of the Department of
2 Finance and Administration, as set out in §27-23-101 et seq.

3 19-6-460. Department of Human Services Uninsured Children's Fund.

4 The Department of Human Services Uninsured Children's Fund shall consist
5 of those special revenues as specified in Subdivision (151) of §19-6-301,
6 there to be used for the administration of the Uninsured Children's Program,
7 as set out in §20-77-601 et seq.

8 19-6-461. Drug Abuse Prevention and Statistical Reporting Fund.

9 The Drug Abuse Prevention and Statistical Reporting Fund shall consist
10 of those special revenues as specified in Subdivision (152) of §19-6-301,
11 there to be used for payments to various counties and municipalities and for
12 the transfer of the remaining funds after such payments to the Crime
13 Information System Fund for updating, expanding and improving the Crime
14 Information System, as set out in §5-64-709.

15 19-6-462. Private Career Education Fund.

16 The Private Career Education Fund shall consist of those special
17 revenues as specified in Subdivision (24) of §19-6-301, there to be used for
18 the maintenance and operations of the State Board of Private Career Education
19 in carrying out the functions, powers and duties as set out in §6-51-601 et
20 seq.

21 19-6-463. Regulated Substance Storage Tank Program Fund.

22 The Regulated Substance Storage Tank Program Fund shall consist of those
23 special revenues as specified in Subdivision (153) of §19-6-301, federal funds
24 and any state matching funds as may be provided by the General Assembly, there
25 to be used for the administration of the Regulated Substance Storage Tank
26 Program, as set out in §8-7-801 et seq.

27 19-6-464. Municipal Court Judge and Municipal Court Clerk
28 Education Fund.

29 The Municipal Court Judge and Municipal Court Clerk Education Fund shall
30 consist of those special revenues as specified in Subdivision (156) of §19-6-
31 301, there to be used for providing continuing education opportunities, within
32 the State of Arkansas, to municipal judges and municipal court clerks, as set
33 out in §16-17-123.

34 19-6-465. Child Care Facility Fund.

35 The Child Care Facility Fund shall consist of those special revenues as

1 specified in Subdivision (157) of §19-6-301, there to be used by the Division
2 of Children and Family Services of the Department of Human Services
3 exclusively to provide grants to child care facilities for enhancement of the
4 facility or for training of personnel in child care facilities, as set out in
5 §20-78-202 et seq."

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7 SECTION 5. CODE. All provisions of this Act of a general and permanent
8 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
9 Code Revision Commission shall incorporate the same in the Code.

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11 SECTION 6. SEVERABILITY. If any provision of this Act or the
12 application thereof to any person or circumstance is held invalid, such
13 invalidity shall not affect other provisions or applications of the Act which
14 can be given effect without the invalid provision or application, and to this
15 end the provisions of this Act are declared to be severable.

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17 SECTION 7. GENERAL REPEALER. All laws and parts of laws in conflict
18 with this Act are hereby repealed.

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20 SECTION 8. EMERGENCY CLAUSE. It is hereby found and determined by the
21 Seventy-Eighth General Assembly, that various laws have been enacted since the
22 passage of the Revenue Classification Law which have changed or created
23 various revenues collected by the State, and that this amendment to the
24 Revenue Classification Law is necessary in order to reflect the various taxes,
25 licenses, fees and other revenues levied and collected for the support of and
26 use by State Government as they currently exist and from which appropriations
27 which become effective July 1, 1991, have been made by the Seventy-Eighth
28 General Assembly. Therefore, an emergency is hereby declared to exist, and
29 this Act being necessary for the immediate preservation of the public peace,
30 health and safety shall be in full force and effect from and after July 1,
31 1991.

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APPROVED: 2-7-91

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