

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Joint Budget Committee**

A Bill

ACT 1032 OF 1995
SENATE BILL 355

For An Act To Be Entitled

8 "AN ACT TO REPEAL THE BUREAU OF ALCOHOL AND DRUG ABUSE
9 PREVENTION FUND AND THE ALCOHOL AND DRUG SAFETY FUND; TO
10 PROVIDE FOR THE DISPOSITION OF VARIOUS FUNDS FOR THE
11 PUBLIC HEALTH FUND; AND FOR OTHER PURPOSES."

Subtitle

14 "AN ACT TO PROVIDE FOR THE DISPOSITION
15 OF FUNDS FOR THE DEPARTMENT OF HEALTH."

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

18
19 SECTION 1. Arkansas Code 5-65-115(c) is hereby amended to read as
20 follows:

21 "(c) Within six (6) months of the final adjudication of guilt, the
22 driver shall furnish proof of attendance at and completion of the alcoholism
23 treatment or education program. If such proof is not furnished, the driver
24 shall be cited for contempt of court and assessed an additional court cost of
25 two hundred dollars (\$200), with fifty dollars (\$50.00) retained by the
26 municipal court. The remaining moneys received from these additional court
27 costs shall be remitted at least quarterly, by January 1, April 1, July 1, and
28 October 1 to the Director of the Department of Finance and Administration.
29 One-half (1/2) of the moneys so received by the director shall be deposited in
30 the State Treasury to be credited to the Highway Safety Special Fund for use
31 to support programs of the Arkansas Highway Safety Program. The remaining
32 one-half (1/2) of such moneys received by the director shall be deposited in
33 the State Treasury to be credited to the Public Health Fund to support
34 *substance abuse* treatment programs of the Department of Health, Bureau of
35 Alcohol and Drug Abuse Prevention."

36

1 SECTION 2. Arkansas Code 16-17-110(b)(2)(A)(ii) is hereby amended to
2 read as follows:

3 "(ii) Sixteen and seven-tenths percent (16.7%) to the Public Health
4 Fund."
5

6 SECTION 3. Arkansas Code 16-18-106(b)(2)(A)(ii) is hereby amended to
7 read as follows:

8 "(ii) Sixteen and seven-tenths percent (16.7%) to the Public Health Fund."
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10 SECTION 4. Arkansas Code 16-19-413(b)(2)(A)(ii) is hereby amended to
11 read as follows:

12 "(ii) Sixteen and seven-tenths percent (16.7%) to the Public Health Fund."
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14 SECTION 5. Arkansas Code 19-5-504 is hereby amended to read as follows:

15 "19-5-504. Loans of anticipated proceeds of Aging and Adult Services Fund
16 Account.

17 In addition to those purposes for which the Budget Stabilization Trust
18 Fund may be used, the Department of Human Services may borrow from that fund
19 an amount equal to eighty percent (80%) of the anticipated proceeds made
20 available to the Aging and Adult Services Fund Account from nursing home bed
21 license fees. The borrowed amounts are to be transferred to the Aging and
22 Adult Services Fund Account in such amounts and under such restrictions and
23 conditions as are determined to be in the best interest of the state by the
24 Chief Fiscal Officer of the State and, in any event, shall be repaid to the
25 Budget Stabilization Trust Fund in full by June 30 of the year in which the
26 funds were borrowed."
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28 SECTION 6. Arkansas Code 19-6-457 is hereby amended to read as follows:
29 "19-6-457. Aging and Adult Services Special Revenue Fund.

30 There is hereby created on the books of the Treasurer of State and the
31 Chief Fiscal Officer of the State a fund to be known as the Aging and Adult
32 Services Special Revenue Fund which shall consist of those special revenues as
33 specified in § 20-10-1101 et seq. and § 26-57-901 et seq., and any other
34 special revenues designated for this fund by law, there to be used for the
35 maintenance, operations, and improvement as required by the Aging and Adult

1 Services Division of the Department of Human Services."

2

3 SECTION 7. Arkansas Code 20-64-908 is hereby amended to read as
4 follows:

5 "20-64-908. Disposition of funds.

6 All application fees and accreditation costs will be paid to the
7 Department of Health, Bureau of Alcohol and Drug Abuse Prevention. The
8 Department of Health, Bureau of Alcohol and Drug Abuse Prevention will
9 transfer said money to the State Treasury, and said money shall be specially
10 designated for transfer to the Public Health Fund to cover maintenance and
11 operation expenses incurred by the accreditation review process."

12

13 SECTION 8. Arkansas Code 19-5-307(b) is hereby amended to read as
14 follows:

15 "(b) The fund shall consist of:

16 (1) Those special revenues as set out in subdivisions (65), (66),
17 (68), (69), (97), (133), (136), (137), (139), (140), (141), (142),
18 (143), (144), (147), (155), (166), that portion of subdivision
19 (58), sixteen and seven-tenths percent (16.7%) of subdivision
20 (115), and fifty percent (50%) of subdivision (129) of § 19-6-301
21 of the Revenue Classification Law, § 19-6-101 et seq.;

22 (2) General revenues as may be provided by law;

23 (3) Nonrevenue income derived from services provided by the
24 various divisions of the Department of Health;

25 (4) Federal reimbursement received on account of eligible expenditures
26 by the various divisions of the Department of Health;

27 (5) Other funds as may be provided by law; and

28 (6) The June 30, 1995 fund balance in the Alcohol and Drug Safety
29 Fund, which in addition to those special revenues as set out in
30 §19-5-307(b)(1) attributable to subdivisions (115) and (129),
31 shall be used exclusively for the support of detoxification
32 services and alcohol and drug abuse rehabilitation and treatment
33 services as set out in §§16-17-110, 16-18-106, and 16-19-413."

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35 SECTION 9. Arkansas Code §§16-17-110(c); 16-18-106(c); 16-19-413(c);

1 19-5-309; and 19-6-447 are hereby repealed.

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3 SECTION 10. CODE. All provisions of this Act of a general and
4 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the
5 Arkansas Code Revision Commission shall incorporate the same in the Code.

6

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

12

13 SECTION 12. GENERAL REPEALER. All laws and parts of laws in conflict
14 with this Act are hereby repealed.

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16 SECTION 13. EMERGENCY CLAUSE. It is hereby found and determined by the
17 Eightieth General Assembly, that in order for the Department of Health to
18 become more efficient in accounting and budgetary practices due to the
19 transfer of the Bureau of Alcohol and Drug Abuse Prevention, changes in
20 various funds are needed; and that the provisions of this Act provide such
21 changes. Therefore, an emergency is hereby declared to exist and this Act
22 being necessary for the immediate preservation of the public peace, health and
23 safety shall be in full force and effect from and after July 1, 1995.

24

/s/Russ

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26 APPROVED: 4-10-95

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