

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 84th General Assembly  
3 Regular Session, 2003  
4

As Engrossed: H1/28/03 S2/18/03

# A Bill

Act 279 of 2003  
HOUSE BILL 1039

5 By: Representatives Hutchinson, Napper, Bright, Parks  
6 By: Senator Womack  
7

## For An Act To Be Entitled

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9  
10 AN ACT TO BE KNOWN AS "THE BABY SHARON ACT"; TO  
11 CREATE AN INCOME TAX RETURN CHECKOFF FOR THE  
12 ARKANSAS CHILDREN'S CATASTROPHIC ILLNESS GRANT  
13 PROGRAM TRUST FUND; TO CREATE THE ARKANSAS  
14 CHILDREN'S CATASTROPHIC ILLNESS GRANT PROGRAM  
15 TRUST FUND; TO CREATE THE ARKANSAS CHILDREN'S  
16 CATASTROPHIC ILLNESS GRANT PROGRAM; AND FOR OTHER  
17 PURPOSES.

## Subtitle

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19  
20 AN ACT TO BE KNOWN AS "THE BABY SHARON  
21 ACT".  
22  
23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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26 SECTION 1. Arkansas Code Title 26, Chapter 35, is amended to add an  
27 additional subchapter to read as follows:

28 26-35-1201. Title.

29 This subchapter shall be known and may be cited as the "Baby Sharon  
30 Act".

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32 26-35-1202. Creation.

33 The Revenue Division of the Department of Finance and Administration  
34 shall include on the Arkansas individual income tax forms, including those  
35 forms on which a husband and wife file separately on the same form and on all  
36 corporate income tax forms, a designation as follows:

1           (1) If you are entitled to a refund, check if you wish to  
 2 designate [ ] \$1, [ ] \$5, [ ] \$10, [ ] \$20, [ ] \$ (write in amount), or [ ]  
 3 all refund due, of your tax refund for Baby Sharon's Children's Catastrophic  
 4 Illness Grant Program Trust Fund. Your refund will be reduced by this  
 5 amount.

6           (2) If you owe an additional amount, check if you wish to  
 7 contribute an additional [ ] \$1, [ ] \$5, [ ] \$10, [ ] \$20, [ ] \$ (write in  
 8 amount) for Baby Sharon's Children's Catastrophic Illness Grant Program Trust  
 9 Fund. If you wish to make a contribution to the fund you must enclose a  
 10 separate check for the amount of your contribution, payable to Baby Sharon's  
 11 Children's Catastrophic Illness Grant Program Trust Fund.

12  
 13           26-35-1203. Administration.

14           (a) The director of the Department of Finance and Administration may:

15                   (1) Accept any gifts, grants, bequests, devises, and donations  
 16 made to the State of Arkansas for the purposes of funding Baby Sharon's  
 17 Children's Catastrophic Illness Grant Program Trust Fund; and

18                   (2) Deposit any gifts, grants, bequests, devises, and donations  
 19 so received into Baby Sharon's Children's Catastrophic Illness Grant Program  
 20 Trust Fund.

21           (b) The Department of Finance and Administration shall quarterly  
 22 certify to the State Treasurer the amount contributed to the fund through  
 23 this state income tax checkoff during the quarter as authorized by this  
 24 subchapter, and the State Treasurer shall deduct from the Income Tax  
 25 Withholding Fund the amount so certified.

26           (c) The Director of the Department of Finance and Administration shall  
 27 promulgate all rules and regulations and all income tax forms, returns, and  
 28 schedules necessary to carry out the revenue producing provisions of this  
 29 subchapter.

30           (d) The gifts, grants, bequests, devises, and donations made under  
 31 this subchapter shall be used together with any other funds appropriated for  
 32 funding Baby Sharon's Children's Catastrophic Illness Grant Program Trust  
 33 Fund.

34           (e) Arkansas Children's Hospital shall promulgate all rules and  
 35 regulations necessary for implementing the grant program for the fund.

36

1 26-35-1204. Effective dates.

2 (a) Baby Sharon's Children's Catastrophic Illness Grant Program Trust  
3 Fund checkoff on state income tax returns shall be effective for tax years  
4 beginning on or after January 1, 2003.

5 (b) The provisions of this subchapter allowing the Director of the  
6 Department of Finance and Administration to accept gifts, grants, bequests,  
7 devises, and donations shall be effective on August 1, 2003.

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9 26-35-1205. Advisory committee.

10 (a) There is established an advisory committee to be known as the  
11 "Baby Sharon's Children's Catastrophic Illness Grant Program Advisory  
12 Committee".

13 (b) The committee shall consist of five (5) members as follows:

14 (1) One (1) person appointed by the Speaker of the House of  
15 Representatives;

16 (2) One (1) person appointed by the President Pro Tempore of the  
17 Senate; and

18 (3) Three (3) persons appointed by the Governor.

19 (c) The committee members shall be:

20 (1) Individuals who have knowledge of children with catastrophic  
21 illnesses or injuries; and

22 (2) Residents of the State of Arkansas at the time of  
23 appointment and throughout his or her term.

24 (d)(1) Except for initial appointments, the appointments to the  
25 committee shall be for a term of four (4) years.

26 (2) For initial appointments, the members shall draw lots to  
27 determine the length of their terms as follows:

28 (A) Two (2) members shall have terms of two (2) years;

29 (B) Two (2) members shall have terms of three (3) years;

30 and

31 (C) One (1) member shall have a term of four (4) years.

32 (e) If a vacancy occurs during a term, the Governor shall appoint a  
33 replacement for the unexpired term.

34 (f) The Governor shall designate the chairperson.

35 (g)(1) The committee shall meet at times and places as the chairperson  
36 deems necessary, but no meetings shall be held outside of the State of

1 Arkansas.

2 (2) A majority of the members of the committee shall constitute a  
3 quorum for the purpose of transacting business.

4 (3) All action of the committee shall be by a majority vote of  
5 the full membership of the committee.

6 (h) The committee shall:

7 (1) Consult with the Arkansas Children's Hospital concerning  
8 grant applications related to Baby Sharon's Children's Catastrophic Illness  
9 Grant Program; and

10 (2) Consult with the Arkansas Children's Hospital concerning  
11 rules and regulations that the Arkansas Children's Hospital promulgates for  
12 Baby Sharon's Children's Catastrophic Illness Grant Program.

13 (i)(1) Arkansas Children's Hospital shall provide staff and office  
14 space to the committee.

15 (2)(A) Members of the committee shall serve without pay.

16 (B) Members of the committee shall not receive expense  
17 reimbursement under § 25-16-902.

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19 SECTION 2. Arkansas Code Title 19, Chapter 5, Subchapter 11 is amended  
20 to add an additional section to read as follows:

21 19-5-1123. Arkansas Children's Catastrophic Illness Grant Program  
22 Trust Fund.

23 (a) There is created on the books of the Treasurer of State, Auditor  
24 of State, and Chief Fiscal Officer of the State a trust fund to be known as  
25 "Baby Sharon's Children's Catastrophic Illness Grant Program Trust Fund".

26 (b)(1) All moneys collected under § 26-35-1202 shall be deposited into  
27 the State Treasury to the credit of the fund.

28 (2) The fund shall also consist of any other revenues as may be  
29 authorized by law.

30 (c) The fund shall be used exclusively by the Arkansas Children's  
31 Hospital to assist with the medical expenses incurred by the families of  
32 children with catastrophic illnesses or injuries by awarding grants to the  
33 families who are liable for the medical expenses.

34 (d) The Treasurer of State shall credit to the fund the amount  
35 certified each quarter in accordance with § 26-35-1203.

36 (e)(1) The moneys credited to the fund shall be held as trust funds in

1 interest-bearing accounts only.

2 (2) All interest earned shall be credited to the fund and shall  
3 be used only for the purposes of the fund.

4 (f) All moneys deposited into the fund and all interest earned on  
5 deposits and the fund balance in the fund may be disbursed as appropriated in  
6 each fiscal year of the biennium for Baby Sharon's Children's Catastrophic  
7 Illness Grant Program.

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9 SECTION 3. (a) Arkansas Children's Hospital shall use funds from  
10 "Baby Sharon's Children's Catastrophic Illness Grant Program Trust Fund" to  
11 establish Baby Sharon's Children's Catastrophic Illness Grant Program.

12 (b) The Arkansas Children's Hospital shall promulgate rules and  
13 regulations to create a grant program that assists families of children with  
14 catastrophic illnesses or injuries with medical expenses for which the  
15 families are liable.

16 (c) The Arkansas Children's Hospital shall consult with Baby Sharon's  
17 Children's Catastrophic Illness Grant Program Advisory Committee concerning:

18 (1) Grant applications related to Baby Sharon's Children's  
19 Catastrophic Illness Grant Program; and

20 (2) Rules and regulations promulgated by the department for Baby  
21 Sharon's Children's Catastrophic Illness Grant Program.

22 /s/ Hutchinson

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25 APPROVED: 03/03/2003

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