Stricken language will be deleted and underlined language will be added.

Act 680 of the Regular Session

State of Arkansas

As Engrossed:  H2/24/17 H3/15/17

A Bill

91st General Assembly
Regular Session, 2017

HOUSE BILL 1243

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR THE DEPARTMENT OF FINANCE
AND ADMINISTRATION - REVENUE SERVICES DIVISION FOR
THE FISCAL YEAR ENDING JUNE 30, 2018; AND FOR OTHER
PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF FINANCE AND
ADMINISTRATION - REVENUE SERVICES
DIVISION APPROPRIATION FOR THE 2017-2018
FISCAL YEAR.

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

SECTION 1. REGULAR SALARIES - REVENUE SERVICES DIVISION. There is
hereby established for the Department of Finance and Administration - Revenue
Services Division for the 2017-2018 fiscal year, the following maximum number
of regular employees.

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Class Code</th>
<th>Title</th>
<th>No. of Employees</th>
<th>Fiscal Year</th>
<th>Maximum Annual Salary Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>N003N</td>
<td>DFA REV ASST COMMR OPS &amp; ADMIN</td>
<td>1</td>
<td>GRADE N912</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>N004N</td>
<td>DFA REV ASST COMMR POLICY &amp; LEGAL</td>
<td>1</td>
<td>GRADE N912</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>N037N</td>
<td>DFA DRIVER LICENSE ADMINISTRATOR</td>
<td>1</td>
<td>GRADE N909</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>N035N</td>
<td>DFA MOTOR VEHICLE ADMINISTRATOR</td>
<td>1</td>
<td>GRADE N909</td>
<td></td>
</tr>
</tbody>
</table>
1 (5)  G002N  DFA REVENUE CHIEF COUNSEL  
2 (6)  N030N  DFA STATE REVENUE OFFICE ADMIN  
3 (7)  N029N  DFA TAX ADMINISTRATOR  
4 (8)  N028N  DFA TAX AUDIT ADMINISTRATOR  
5 (9)  A003C  DFA REVENUE ASSISTANT ADMINISTRATOR  
6 (10) A006C  DFA REVENUE TAX DIVISION MANAGER  
7 (11) G025C  ATTORNEY SUPERVISOR  
8 (12) G024C  DEPARTMENT ADMINISTRATIVE LAW JUDGE  
9 (13) G047C  ATTORNEY SPECIALIST  
10 (14) G045C  DFA DIVISION MANAGER III  
11 (15) G044C  DFA REV PROBLEM RESOLUTION OFFICER  
12 (16) G084C  DFA DIVISION MANAGER II  
13 (17) T106C  DFA REVENUE SECURITY SUPERVISOR  
14 (18) A033C  TAX AUDITOR SUPERVISOR  
15 (19) A049C  DFA REVENUE OFFICE DISTRICT MANAGER  
16 (20) G133C  DFA DIVISION MANAGER I  
17 (21) T032C  DFA REVENUE SECURITY COORDINATOR  
18 (22) A054C  TAX AUDITOR II  
19 (23) A069C  DFA REVENUE OFFICE ASST DIST MANAGER  
20 (24) A059C  TAX AUDITOR  
21 (25) A077C  DFA LOCAL REVENUE OFFICE MANAGER  
22 (26) A074C  FISCAL SUPPORT SUPERVISOR  
23 (27) A082C  ACCOUNTANT II  
24 (28) G179C  LEGAL SERVICES SPECIALIST  
25 (29) S017C  MAINTENANCE COORDINATOR  
26 (30) A089C  ACCOUNTANT I  
27 (31) P027C  PUBLIC INFORMATION SPECIALIST  
28 (32) C037C  ADMINISTRATIVE ANALYST  
29 (33) A091C  FISCAL SUPPORT ANALYST  
30 (34) C029C  HEARING OFFICER  
31 (35) R032C  HUMAN RESOURCES PROGRAM REP  
32 (36) V015C  PURCHASING SPECIALIST  
33 (37) A094C  DFA LOCAL REVENUE OFFICE SUPERVISOR  
34 (38) C042C  DFA REVENUE SUPERVISOR  
35 (39) C048C  DFA SUPERVISOR  
36 (40) C046C  LEGAL SUPPORT SPECIALIST  

2 01-09-2017 17:49:43 JAP011
SECTION 2. EXTRA HELP - REVENUE SERVICES DIVISION. There is hereby
authorized, for the Department of Finance and Administration - Revenue
Services Division for the 2017-2018 fiscal year, the following maximum number
of part-time or temporary employees, to be known as "Extra Help", payable
from funds appropriated herein for such purposes: two hundred twenty-one
(221) temporary or part-time employees, when needed, at rates of pay not to
exceed those provided in the Uniform Classification and Compensation Act, or
its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATION - REVENUE SERVICES DIVISION - OPERATIONS.
There is hereby appropriated, to the Department of Finance and Administration
- Revenue Services Division, to be payable from the State Central Services
Fund, for personal services and operating expenses of the Department of
Finance and Administration - Revenue Services Division for the fiscal year
ending June 30, 2018, the following:

<table>
<thead>
<tr>
<th>ITEM</th>
<th>FISCAL YEAR</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2017-2018</td>
</tr>
<tr>
<td>(01) REGULAR SALARIES</td>
<td>$50,852,532</td>
</tr>
<tr>
<td>(02) EXTRA HELP</td>
<td>564,466</td>
</tr>
<tr>
<td>(03) PERSONAL SERVICES MATCHING</td>
<td>19,137,187</td>
</tr>
<tr>
<td>(04) OVERTIME</td>
<td>125,000</td>
</tr>
<tr>
<td>(05) MAINT. &amp; GEN. OPERATION</td>
<td>27,250,000</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>(A) OPER. EXPENSE</td>
<td>115,450</td>
</tr>
<tr>
<td>(B) CONF. &amp; TRAVEL</td>
<td></td>
</tr>
</tbody>
</table>
(C) PROF. FEES 157,000
(D) CAP. OUTLAY 550,000
(E) DATA PROC. 0
(06) REFUNDS/REIMBURSEMENTS 25,000
TOTAL AMOUNT APPROPRIATED $98,776,635

SECTION 4. APPROPRIATION - COMMERCIAL DRIVERS LICENSE PROGRAM. There is hereby appropriated, to the Department of Finance and Administration - Revenue Services Division, to be payable from the Commercial Driver License Fund, for personal services and operating expenses of the Department of Finance and Administration - Revenue Services Division - Commercial Drivers License Program for the fiscal year ending June 30, 2018, the following:

<table>
<thead>
<tr>
<th>ITEM NO.</th>
<th>FISCAL YEAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>(01) REGULAR SALARIES</td>
<td>$280,809</td>
</tr>
<tr>
<td>(02) PERSONAL SERVICES MATCHING</td>
<td>115,042</td>
</tr>
<tr>
<td>(03) MAINT. &amp; GEN. OPERATION</td>
<td></td>
</tr>
<tr>
<td>(A) OPER. EXPENSE</td>
<td>4,352,352</td>
</tr>
<tr>
<td>(B) CONF. &amp; TRAVEL</td>
<td>0</td>
</tr>
<tr>
<td>(C) PROF. FEES</td>
<td>0</td>
</tr>
<tr>
<td>(D) CAP. OUTLAY</td>
<td>0</td>
</tr>
<tr>
<td>(E) DATA PROC.</td>
<td>0</td>
</tr>
</tbody>
</table>
TOTAL AMOUNT APPROPRIATED $4,748,203

SECTION 5. APPROPRIATION - INDIVIDUAL INCOME TAX AND AD VALOREM PROPERTY TAX REBATES. There is hereby appropriated, to the Department of Finance and Administration - Revenue Services Division, to be payable from the Individual Income Tax Withholding Fund, for the purpose of making individual income tax refunds of taxes withheld under the provisions of Arkansas Code beginning at 26-51-901 and property tax rebates under Amendment 79 of the Arkansas Constitution for the fiscal year ending June 30, 2018, the following:

<table>
<thead>
<tr>
<th>ITEM NO.</th>
<th>FISCAL YEAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>(01) REGULAR SALARIES</td>
<td>$280,809</td>
</tr>
<tr>
<td>(02) PERSONAL SERVICES MATCHING</td>
<td>115,042</td>
</tr>
<tr>
<td>(03) MAINT. &amp; GEN. OPERATION</td>
<td></td>
</tr>
<tr>
<td>(A) OPER. EXPENSE</td>
<td>4,352,352</td>
</tr>
<tr>
<td>(B) CONF. &amp; TRAVEL</td>
<td>0</td>
</tr>
<tr>
<td>(C) PROF. FEES</td>
<td>0</td>
</tr>
<tr>
<td>(D) CAP. OUTLAY</td>
<td>0</td>
</tr>
<tr>
<td>(E) DATA PROC.</td>
<td>0</td>
</tr>
</tbody>
</table>
TOTAL AMOUNT APPROPRIATED $4,748,203
(01) INDIVIDUAL INCOME TAX & AD VALOREM
PROPERTY TAX REBATES -
REFUND/REIMBURSEMENTS $680,000,000

SECTION 6. APPROPRIATION - CORPORATE INCOME TAX. There is hereby appropriated, to the Department of Finance and Administration - Revenue Services Division, to be payable from the Corporate Income Tax Withholding Fund, for the purpose of making corporate income tax refunds of taxes withheld under the provisions of Arkansas Code 26-51-901 for the fiscal year ending June 30, 2018, the following:

<table>
<thead>
<tr>
<th>ITEM NO.</th>
<th>FISCAL YEAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>(01) CORPORATE INCOME TAX - REIMBURSEMENTS $200,000,000</td>
<td></td>
</tr>
</tbody>
</table>

SECTION 7. APPROPRIATION - GASOLINE TAX REFUNDS. There is hereby appropriated, to the Department of Finance and Administration - Revenue Services Division, to be payable from the Gasoline Tax Refund Fund, for paying the valid gasoline tax refund claims of agricultural users and bus drivers in the manner and to the extent provided by law for the fiscal year ending June 30, 2018, the following:

<table>
<thead>
<tr>
<th>ITEM NO.</th>
<th>FISCAL YEAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>(01) GASOLINE TAX REFUND CLAIMS $1,500,000</td>
<td></td>
</tr>
</tbody>
</table>

SECTION 8. APPROPRIATION - INTERSTATE MOTOR FUEL TAX REFUNDS. There is hereby appropriated, to the Department of Finance and Administration - Revenue Services Division, to be payable from the Interstate Motor Fuel Tax Refund Fund, for paying refunds to interstate users of motor fuels and special motor fuels as authorized by law for the fiscal year ending June 30, 2018, the following:

<table>
<thead>
<tr>
<th>ITEM NO.</th>
<th>FISCAL YEAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>(01) INTERSTATE MOTOR FUEL TAX REFUNDS</td>
<td></td>
</tr>
</tbody>
</table>

5 01-09-2017 17:49:43 JAP011
(01) INTERSTATE MOTOR FUEL TAX -
REFUND/REIMBURSEMENTS $20,000,000

SECTION 9. APPROPRIATION - MISCELLANEOUS TAX REFUNDS. There is hereby
appropriated, to the Department of Finance and Administration - Revenue
Services Division, to be payable from the Miscellaneous Revolving Fund, for
making refunds of taxes erroneously paid and for refunds of the gross
receipts taxes paid upon tickets to athletic events pursuant to Arkansas Code
26-52-412 and for other purposes as authorized by law for the fiscal year
ending June 30, 2018, the following:

ITEM NO. FISCAL YEAR
(01) MISCELLANEOUS TAX -
REFUND/REIMBURSEMENTS $260,000,000

SECTION 10. APPROPRIATION - SPECIAL PLATES. There is hereby
appropriated, to the Department of Finance and Administration - Revenue
Services Division, to be payable from the cash fund deposited in the State
Treasury as determined by the Chief Fiscal Officer of the State, for
administrative and operating expenses of disbursing the Motor Vehicle Special
License Plates fees to the proper entities for the fiscal year ending June
30, 2018, the following:

ITEM NO. FISCAL YEAR
(01) MV SPECIAL PLATES-ADMINISTRATIVE &
OPERATING EXPENSES $4,000,000

SECTION 11. APPROPRIATION - REVENUE MISCELLANEOUS CASH. There is
hereby appropriated, to the Department of Finance and Administration -
Revenue Services Division, to be payable from the cash fund deposited in the
State Treasury as determined by the Chief Fiscal Officer of the State, for
distribution of fees and service charges collected on behalf of other
entities and for other purposes as authorized by law for the fiscal year
ending June 30, 2018, the following:
<table>
<thead>
<tr>
<th>ITEM</th>
<th>FISCAL YEAR</th>
<th>NO.</th>
<th>2017-2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>(01) DISTRIBUTION OF FEES / SERVICE CHARGES</td>
<td>S</td>
<td>$12,000,000</td>
<td></td>
</tr>
</tbody>
</table>

**SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.**

APPROPRIATION TRANSFERS. The Director of the Department of Finance and Administration is authorized to transfer appropriation between refund line item appropriations in this Act. The Director of the Department of Finance and Administration shall immediately report any such transfers to the Arkansas Legislative Council. Such report shall contain the amounts transferred and the reasons for the same.

The provisions of this section shall be in effect only from July 1, 2016 through June 30, 2017 2018.

**SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.**

HELP EXEMPTION. Extra Help positions authorized herein are specifically exempt from limitation of hours, either by act or regulation. Provided, however, when a temporary or part-time employee is employed by the Department of Finance and Administration - Revenue Services for a period of time exceeding seven (7) months, a report of such shall be filed with the Arkansas Legislative Council.

The provisions of this section shall be in effect only from July 1, 2016 through June 30, 2017 2018.

**SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.**

AUTHORITY TO EMPLOY CERTIFIED LAW ENFORCEMENT OFFICERS. The Director of the Department of Finance and Administration is authorized to employ not more than one (1) certified law enforcement officers and specialized police personnel as certified under § 12-9-101 et seq. The certified law enforcement officers and specialized police personnel employed under this section shall be responsible for maintaining order and providing for the security, protection, and
safety of the Department of Finance and Administration buildings, grounds, property, employees and customers. The certified law enforcement officer shall have the powers, duties, privileges, and immunities of a certified law enforcement officer.

The following two classifications shall be used by the agency for security, protection, and safety personnel:

<table>
<thead>
<tr>
<th>ITEM CLASS</th>
<th>MAXIMUM</th>
<th>SALARY RATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>NO. CODE TITLE</td>
<td>EMPLOYEES</td>
<td>2017-2018</td>
</tr>
</tbody>
</table>

| (1) T106C DFA REVENUE SECURITY SUPERVISOR | 1 | GRADE C123 |
| (2) T032C DFA REVENUE SECURITY COORDINATOR | 4 | GRADE C120 |

MAX. NO. OF EMPLOYEES 5

Department of Finance and Administration Alcoholic Beverage Control Enforcement Division will manage training and certification of the certified law enforcement officers and specialized police personnel and maintain all required documentation.

The provisions of this section shall be in effect only from July 1, 2016 through June 30, 2017.

SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

CONTINGENT POSITIONS. There is hereby established for the Department of Finance and Administration - Revenue Division - Contingent Positions for the 2016-2017 2017-2018 fiscal year, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code 21-5-201 et seq.), or its successor, and all laws amendatory thereto. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas Code 21-5-101), or its successor.

CONTINGENT POSITIONS – DATA ENTRY

<table>
<thead>
<tr>
<th>ITEM CLASS</th>
<th>MAXIMUM</th>
<th>SALARY RATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>NO. CODE TITLE</td>
<td>EMPLOYEES</td>
<td>2016-17 2017-2018</td>
</tr>
</tbody>
</table>

| (1) CO42C DFA REVENUE SUPERVISOR | 2 | GRADE C114 |
If it has been determined by the Director of the Department of Finance and Administration that the Department cannot continue a contract with a private provider and the Director deems it necessary to utilize Department staff to provide the required services, the Department is allowed, after seeking prior review by the Arkansas Legislative Council or Joint Budget Committee, to utilize the contingent positions for data entry contained in this Section and make the appropriate transfers from the various Maintenance and Operations, Professional Fees and Services or Data Processing line items contained in the Revenue Services Division - Operations Appropriation Section of this Act to Regular Salaries and Personal Services Matching.

The provisions of this section shall be in effect only from July 1, 2016 through June 30, 2017.
General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2017 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2017 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2017.

/s/ Joint Budget Committee

APPROVED: 03/27/2017