

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4

As Engrossed: S3/19/19

# A Bill

SENATE BILL 429

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS  
9 ECONOMIC DEVELOPMENT COMMISSION FOR CAPITAL  
10 IMPROVEMENT PROJECTS, GRANTS AND PROGRAMS; AND FOR  
11 OTHER PURPOSES.  
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### Subtitle

14 AN ACT FOR THE ARKANSAS ECONOMIC  
15 DEVELOPMENT COMMISSION - CAPITAL  
16 IMPROVEMENT PROJECTS, GRANTS AND PROGRAMS  
17 APPROPRIATION.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. APPROPRIATION - CAPITAL IMPROVEMENT PROJECTS. There is  
24 hereby appropriated, to the Arkansas Economic Development Commission, to be  
25 payable from the Development and Enhancement Fund, the following:

26 (A) for grants and/or loans to state agencies, community-based non-  
27 profit organizations, fire departments, counties, municipalities or  
28 subdivisions thereof, or other eligible entities for operating, construction,  
29 improvements, equipment, renovation, and/or maintenance expenses associated  
30 with public buildings, public lands, community centers, memorials, parks,  
31 amphitheaters, museums, recreation centers, fire protection, law enforcement,  
32 libraries, senior centers, and cemeteries, in a sum not to exceed  
33 .....\$30,000,000.

34 (B) for payments on bonds issued for economic development projects  
35 authorized under Amendment 82 to the Constitution of the State of Arkansas of  
36 1874, in a sum not to exceed .....\$7,000,000.



1 (C) for funding for grants and/or loans to state agencies, cities,  
 2 counties, community-based non-profit organizations and other eligible  
 3 entities to support economic stimulus activities throughout the state, in a  
 4 sum not to exceed .....\$15,000,000.

5 (D) for vital infrastructure needs, programs, grants, and/or loans for  
 6 public buildings, water treatment systems, environmental concerns, energy  
 7 needs, telecommunications, sewer systems, and cost-effective energy efficient  
 8 improvements and technologies, in a sum not to exceed .....\$22,000,000.

9 (E) for Public Safety Grants to eligible entities for personal  
 10 services, operating expenses, equipment, maintenance, repair and upgrade  
 11 associated with the provision of fire protection, search and rescue, security  
 12 enhancement, telecommunications, emergency medical service, and disaster  
 13 relief and recovery, in a sum not to exceed .....\$10,000,000.

14 (F) for community improvement grants for equipment, repair,  
 15 maintenance, construction, renovation, improvement and upgrade of public  
 16 buildings and facilities, in a sum not to exceed .....\$5,000,000.

17 (G) for grant matching funds and/or loans to state agencies, cities,  
 18 counties, community-based non-profit organizations and other eligible  
 19 entities applying for consideration with a grant funder that requires  
 20 matching funds for projects, to maximize contributions, provide cash  
 21 assistance, or match contributions to ensure grant funding or contract, in a  
 22 sum not to exceed .....\$10,000,000.

23 (H) for the purpose of providing grants and/or loans to state agencies,  
 24 cities, counties, community-based non-profit organizations and other entities  
 25 determined by the Arkansas Economic Development Commission to be eligible to:  
 26 (1) undertake public works projects and/or job training efforts which support  
 27 private sector job creation opportunities; (2) alleviate conditions which  
 28 constitute a threat to public health and wellbeing; (3) partially defray the  
 29 cost of providing access to publicly owned industrial parks, and/or  
 30 technology parks; (4) provide for the expansion of the aircraft and aerospace  
 31 industry; (5) provide for port, rail and waterway economic development  
 32 projects; (6) provide for technology based economic development projects; (7)  
 33 provide for industrial site development costs (including, but not limited to  
 34 land acquisition, construction, renovation, and equipment acquisition); (8)  
 35 provide for development of intermodal facilities (including, but not limited  
 36 to port and/or waterway projects, rail spur construction and/or road and

1 highway improvement); (9) pay the costs of environmental mitigation projects;  
2 (10) provide for construction and/or improvement of water and sewer systems,  
3 in a sum not to exceed .....\$30,000,000.

4 (I) for funding for an investment in Arkansas’s workforce through  
5 training incentives for companies located in Arkansas to upgrade skills of  
6 their existing workforce, or for a potential new workforce, and to build  
7 capacity within Arkansas to supply on-going training needs of Arkansas  
8 companies and to increase participation in the State’s school-to-work  
9 initiatives, in a sum not to exceed .....\$3,000,000.

10 (J) for a transfer to the Economic Development Incentive Quick Action  
11 Closing Fund, for incentives to attract new business and economic development  
12 to the state, in a sum not to exceed .....\$75,000,000.

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14 SECTION 2. APPROPRIATION - ECONOMIC DEVELOPMENT INCENTIVE PROGRAM -  
15 CREATE REBATE. There is hereby appropriated, to the Arkansas Economic  
16 Development Commission, to be payable from the Economic Development Incentive  
17 Fund of the Arkansas Economic Development Commission, the following:

18 (A) for financial incentives to companies locating a new facility or  
19 expanding and existing facility with the State of Arkansas and for companies  
20 that hire and maintain specified levels of employment, as identified in  
21 signed financial agreements with the Arkansas Economic Development  
22 Commission, in a sum not to exceed.....\$37,500,000.

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24 SECTION 3. APPROPRIATION - GRANTS. *There is hereby appropriated, to the*  
25 *Arkansas Economic Development Commission, to be payable from the Development*  
26 *and Enhancement Fund, the following:*

27 (A) *for grants to eligible entities for improvements, construction,*  
28 *renovation, major maintenance, operating expenses and repairs for airports,*  
29 *in a sum not to exceed.....\$100,000.*

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31 SECTION 4. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
32 obligations otherwise incurred in relation to the project or projects  
33 described herein in excess of the State Treasury funds actually available  
34 therefor as provided by law. Provided, however, that institutions and  
35 agencies listed herein shall have the authority to accept and use grants and  
36 donations including Federal funds, and to use its unobligated cash income or

1 funds, or both available to it, for the purpose of supplementing the State  
2 Treasury funds for financing the entire costs of the project or projects  
3 enumerated herein. Provided further, that the appropriations and funds  
4 otherwise provided by the General Assembly for Maintenance and General  
5 Operations of the agency or institutions receiving appropriation herein shall  
6 not be used for any of the purposes as appropriated in this act.

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

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15 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General  
16 Assembly that any funds disbursed under the authority of the appropriations  
17 contained in this act shall be in compliance with the stated reasons for  
18 which this act was adopted, as evidenced by the Agency Requests, Executive  
19 Recommendations and Legislative Recommendations contained in the budget  
20 manuals prepared by the Department of Finance and Administration, letters, or  
21 summarized oral testimony in the official minutes of the Arkansas Legislative  
22 Council or Joint Budget Committee which relate to its passage and adoption.

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24 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General  
25 Assembly, that the Constitution of the State of Arkansas prohibits the  
26 appropriation of funds for more than a one (1) year period; that the  
27 effectiveness of this Act on July 1, 2019 is essential to the operation of  
28 the agency for which the appropriations in this Act are provided, and that in  
29 the event of an extension of the legislative session, the delay in the  
30 effective date of this Act beyond July 1, 2019 could work irreparable harm  
31 upon the proper administration and provision of essential governmental  
32 programs. Therefore, an emergency is hereby declared to exist and this Act  
33 being necessary for the immediate preservation of the public peace, health  
34 and safety shall be in full force and effect from and after July 1, 2019.

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*/s/Joint Budget Committee*

**APPROVED: 4/8/19**

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