

1 State of Arkansas  
2 92nd General Assembly  
3 Fiscal Session, 2020  
4

# A Bill

SENATE BILL 20

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL  
9 IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF  
10 COMMERCE; AND FOR OTHER PURPOSES.  
11

## Subtitle

12  
13 AN ACT FOR THE DEPARTMENT OF COMMERCE  
14 REAPPROPRIATION.  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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20 SECTION 1. REAPPROPRIATION - SKILLS DEVELOPMENT FUND. There is hereby  
21 appropriated, to the Department of Commerce, to be payable from the Skills  
22 Development Fund, for the Department of Commerce - Office of Skills  
23 Development the following:

24 (A) Effective July 1, 2020, the balance of the appropriation provided  
25 in Item (A) of Section 1 of Act 272 of 2019, for personal services, operating  
26 expenses, equipment and grants for comprehensive statewide workforce  
27 development programs, in a sum not to exceed .....\$40,000,000.  
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29 SECTION 2. REAPPROPRIATION - DEVELOPMENT AND ENHANCEMENT FUND AND  
30 CAPITAL PROJECTS - RURAL SERVICES DIVISION. There is hereby appropriated, to  
31 the Department of Commerce, to be payable from the Development and  
32 Enhancement Fund, for the Department of Commerce - Arkansas Economic  
33 Development Commission - Rural Services Division the following:

34 (A) Effective July 1, 2020, the balance of the appropriation provided  
35 in Item (A) of Section 3 of Act 276 of 2019, for grants to counties,  
36 municipalities, or subdivisions thereof, or other eligible entities for



1 operating, construction, improvements, equipment, renovation, and maintenance  
2 expenses for African American cemeteries, in a sum not to exceed .....\$9,857.

3 (B) Effective July 1, 2020, the balance of the appropriation provided  
4 in Item (B) of Section 3 of Act 276 of 2019, for grants to counties,  
5 municipalities, or subdivisions thereof, or other eligible entities for  
6 operating, construction, improvements, equipment, renovation, and maintenance  
7 expenses associated with public buildings, community centers, memorials,  
8 parks, amphitheaters, recreation centers, libraries and cemeteries, in a sum  
9 not to exceed .....\$39,588.

10 (C) Effective July 1, 2020, the balance of the appropriation provided  
11 in Item (C) of Section 3 of Act 276 of 2019, for community improvement grants  
12 to counties, for operating, construction, improvements, equipment,  
13 renovation, and maintenance expenses associated with county fairs and rodeos,  
14 in a sum not to exceed .....\$5,625.

15 (D) Effective July 1, 2020, the balance of the appropriation provided  
16 in Item (D) of Section 3 of Act 276 of 2019, for grants to fire departments,  
17 counties, municipalities, or subdivisions thereof, or other eligible entities  
18 for operating, construction, improvements, equipment, renovation, and  
19 maintenance expenses associated with public buildings, community centers,  
20 memorials, parks, amphitheaters, recreation centers, fire protection and  
21 cemeteries, in a sum not to exceed .....\$51,863.

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23 SECTION 3. REAPPROPRIATION - ECONOMIC DEVELOPMENT INCENTIVE PROGRAM -  
24 CREATE REBATE. There is hereby appropriated, to the Department of Commerce,  
25 to be payable from the Economic Development Incentive Fund of the Arkansas  
26 Economic Development Commission, for the Department of Commerce - Arkansas  
27 Economic Development Commission, the following:

28 (A) Effective July 1, 2020, the balance of the appropriation provided  
29 in Item (A) of Section 2 of Act 276 of 2019, for financial incentives to  
30 companies locating a new facility or expanding an existing facility within  
31 the State of Arkansas and for companies that hire and maintain specified  
32 levels of employment, as identified in signed financial agreements, in a sum  
33 not to exceed .....\$31,186,225.

34 (B) Effective July 1, 2020, the balance of the appropriation provided  
35 in Item (A) of Section 2 of Act 771 of 2019, for financial incentives to  
36 companies locating a new facility or expanding an existing facility with the

1 State of Arkansas and for companies that hire and maintain specified levels  
2 of employment, as identified in signed financial agreements with the Arkansas  
3 Economic Development Commission, in a sum not to exceed .....\$37,500,000.  
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5 SECTION 4. REAPPROPRIATION - DEVELOPMENT AND ENHANCEMENT FUNDS -  
6 DIVISION OF SCIENCE AND TECHNOLOGY. There is hereby appropriated, to the  
7 Department of Commerce, to be payable from the Development and Enhancement  
8 Fund, for the Department of Commerce - Arkansas Economic Development  
9 Commission - Division of Science and Technology the following:

10 (A) Effective July 1, 2020, the balance of the appropriation provided  
11 in Item (A) of Section 4 of Act 276 of 2019, for matching funds for a grant  
12 from the National Science Foundation, in a sum not to exceed .....\$8,453.  
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14 SECTION 5. REAPPROPRIATION - QUICK ACTION CLOSING FUND. There is  
15 hereby appropriated, to the Department of Commerce, to be payable from the  
16 Economic Development Incentive Quick Action Closing Fund, for the Department  
17 of Commerce - Arkansas Economic Development Commission the following:

18 (A) Effective July 1, 2020, the balance of the appropriation provided  
19 in Item (A) of Section 6 of Act 276 of 2019, for incentives to attract new  
20 business and economic development to the State by the Arkansas Economic  
21 Development Commission, in a sum not to exceed .....\$5,720,475.

22 (B) Effective July 1, 2020, the balance of the appropriation provided  
23 in Item (B) of Section 6 of Act 276 of 2019, for incentives to attract new  
24 business and economic development to the State, in a sum not to exceed  
25 .....\$18,727,888.  
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27 SECTION 6. REAPPROPRIATION - MINORITY AND WOMEN OWNED BUSINESS LOAN  
28 MOBILIZATION. There is hereby appropriated, to the Department of Commerce,  
29 to be payable from the Minority and Women-Owned Loan Mobilization Revolving  
30 Fund, for the Department of Commerce - Arkansas Economic Development  
31 Commission the following:

32 (A) Effective July 1, 2020, the balance of the appropriation provided  
33 in Item (A) of Section 7 of Act 276 of 2019, for promoting the development of  
34 minority business enterprises in the State, increasing the ability of  
35 minority business enterprises to compete for state contracts, and sustaining  
36 the economic growth of minority business enterprises in the State, in a sum

1 not to exceed .....\$282,376.

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3 SECTION 7. REAPPROPRIATION - DEVELOPMENT AND ENHANCEMENT FUNDS. There  
4 is hereby appropriated, to the Department of Commerce, to be payable from the  
5 Development and Enhancement Fund, for the Department of Commerce - Arkansas  
6 Economic Development Commission the following:

7 (A) Effective July 1, 2020, the balance of the appropriation provided  
8 in Item (D) of Section 1 of Act 276 of 2019, for funding for grants and/or  
9 loans to state agencies, cities, counties, community-based non-profit  
10 organizations and other eligible entities to undertake public works projects  
11 and/or job training efforts which support private sector job creation  
12 opportunities, alleviate conditions which constitute a threat to public  
13 health and well-being, or partially defray the costs of providing access to  
14 publicly owned industrial parks, and/or technology parks; to provide grants  
15 and/or loans for the expansion of the aircraft and aerospace industry; grants  
16 and/or loans for port and waterway economic development projects; grants  
17 and/or loans for technology based economic development projects; grants  
18 and/or loans for industrial site development costs (including, but not  
19 limited to land acquisition, construction, renovation, and equipment  
20 acquisition); development of intermodal facilities (including, but not  
21 limited to port and waterway projects, rail spur construction and road and  
22 highway improvements); grants and/or loans to pay the costs of environmental  
23 mitigation projects; and for construction and/or improvement of water and  
24 sewer systems, in a sum not to exceed .....\$601,732.

25 (B) Effective July 1, 2020, the balance of the appropriation provided  
26 in Item (E) of Section 1 of Act 276 of 2019, for funding for grants and/or  
27 loans to state agencies, cities, counties, community-based non-profit  
28 organizations and other eligible entities to support economic stimulus  
29 activities throughout the State, in a sum not to exceed .....\$475,000.

30 (C) Effective July 1, 2020, the balance of the appropriation provided  
31 in Item (C) of Section 8 of Act 276 of 2019, for funding for grants and/or  
32 loans to state agencies, cities, counties, community-based non-profit  
33 organizations and other eligible entities to undertake public works projects  
34 and/or job training efforts which support private sector job creation  
35 opportunities, alleviate conditions which constitute a threat to public  
36 health and well-being, or partially defray the costs of providing access to

1 publicly owned industrial parks, and/or technology parks; to provide grants  
2 and/or loans for the expansion of the aircraft and aerospace industry; grants  
3 and/or loans for port and waterway economic development projects; grants  
4 and/or loans for technology based economic development projects; grants  
5 and/or loans for industrial site development costs (including, but not  
6 limited to land acquisition, construction, renovation, and equipment  
7 acquisition); development of intermodal facilities (including, but not  
8 limited to port and waterway projects, rail spur construction and road and  
9 highway improvements); grants and/or loans to pay the costs of environmental  
10 mitigation projects; and for construction and/or improvement of water and  
11 sewer systems, in a sum not to exceed .....\$12,677.

12 (D) Effective July 1, 2020, the balance of the appropriation provided  
13 in Item (E) of Section 8 of Act 276 of 2019, for allocation by the Executive  
14 Director of the Arkansas Economic Development Commission for activities  
15 associated with the implementation of the State’s strategic plan for economic  
16 development, in a sum not to exceed .....\$130,100.

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18 SECTION 8. REAPPROPRIATION - INNOVATE ARKANSAS. There is hereby  
19 appropriated, to the Department of Commerce - Arkansas Economic Development  
20 Commission, to be payable from the Innovate Arkansas Fund, for the Department  
21 of Commerce - Arkansas Economic Development Commission the following:

22 (A) Effective July 1, 2020, the balance of the appropriation provided  
23 in Item (A) of Section 9 of Act 276 of 2019, for personal services and  
24 operating expenses, in a sum not to exceed .....\$96,312.

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26 SECTION 9. REAPPROPRIATION - CAPITAL IMPROVEMENT PROJECTS, GRANTS AND  
27 PROGRAMS. There is hereby appropriated, to the Department of Commerce, to be  
28 payable from the Development and Enhancement Fund, for the Department of  
29 Commerce - Arkansas Economic Development Commission the following:

30 (A) Effective July 1, 2020, the balance of the appropriation provided  
31 in Section 1 of Act 494 of 2019, for statewide grants to organizations that  
32 provide spay and neuter services, in a sum not to exceed .....\$120,000.

33 (B) Effective July 1, 2020, the balance of the appropriation provided  
34 in Item (A) of Section 3 of Act 771 of 2019, for grants to eligible entities  
35 for improvements, construction, renovation, major maintenance, operating  
36 expenses and repairs for airports,, in a sum not to exceed .....\$100,000.

1 (C) Effective July 1, 2020, the balance of the appropriation provided  
 2 in Item (A) of Section 1 of Act 771 of 2019, for grants and/or loans to state  
 3 agencies, community-based non-profit organizations, fire departments,  
 4 counties, municipalities or subdivisions thereof, or other eligible entities  
 5 for operating, construction, improvements, equipment, renovation, and/or  
 6 maintenance expenses associated with public buildings, public lands,  
 7 community centers, memorials, parks, amphitheaters, museums, recreation  
 8 centers, fire protection, law enforcement, libraries, senior centers, and  
 9 cemeteries, in a sum not to exceed .....\$30,000,000.

10 (D) Effective July 1, 2020, the balance of the appropriation provided  
 11 in Item (B) of Section 1 of Act 771 of 2019, for payments on bonds issued for  
 12 economic development projects authorized under Amendment 82 to the  
 13 Constitution of the State of Arkansas of 1874, in a sum not to exceed  
 14 .....\$7,000,000.

15 (E) Effective July 1, 2020, the balance of the appropriation provided  
 16 in Item (C) of Section 1 of Act 771 of 2019, for funding for grants and/or  
 17 loans to state agencies, cities, counties, community-based non-profit  
 18 organizations and other eligible entities to support economic stimulus  
 19 activities throughout the state, in a sum not to exceed .....\$15,000,000.

20 (F) Effective July 1, 2020, the balance of the appropriation provided  
 21 in Item (D) of Section 1 of Act 771 of 2019, for vital infrastructure needs,  
 22 programs, grants, and/or loans for public buildings, water treatment systems,  
 23 environmental concerns, energy needs, telecommunications, sewer systems, and  
 24 cost-effective energy efficient improvements and technologies, in a sum not  
 25 to exceed .....\$22,000,000.

26 (G) Effective July 1, 2020, the balance of the appropriation provided  
 27 in Item (E) of Section 1 of Act 771 of 2019, for Public Safety Grants to  
 28 eligible entities for personal services, operating expenses, equipment,  
 29 maintenance, repair and upgrade associated with the provision of fire  
 30 protection, search and rescue, security enhancement, telecommunications,  
 31 emergency medical service, and disaster relief and recovery, in a sum not to  
 32 exceed .....\$10,000,000.

33 (H) Effective July 1, 2020, the balance of the appropriation provided  
 34 in Item (F) of Section 1 of Act 771 of 2019, for community improvement grants  
 35 for equipment, repair, maintenance, construction, renovation, improvement and  
 36 upgrade of public buildings and facilities, in a sum not to exceed

1 .....\$5,000,000.

2 (I) Effective July 1, 2020, the balance of the appropriation provided  
3 in Item (G) of Section 1 of Act 771 of 2019, for grant matching funds and/or  
4 loans to state agencies, cities, counties, community-based non-profit  
5 organizations and other eligible entities applying for consideration with a  
6 granting organization that requires matching funds for projects, to maximize  
7 contributions, provide cash assistance, or match contributions to ensure  
8 grant funding or contract, in a sum not to exceed .....\$10,000,000.

9 (J) Effective July 1, 2020, the balance of the appropriation provided  
10 in Item (H) of Section 1 of Act 771 of 2019, for the purpose of providing  
11 grants and/or loans to state agencies, cities, counties, community-based non-  
12 profit organizations and other entities determined by the Arkansas Economic  
13 Development Commission to be eligible to: (1) undertake public works projects  
14 and/or job training efforts which support private sector job creation  
15 opportunities; (2) alleviate conditions which constitute a threat to public  
16 health and wellbeing; (3) partially defray the cost of providing access to  
17 publicly owned industrial parks, and/or technology parks; (4) provide for the  
18 expansion of the aircraft and aerospace industry; (5) provide for port, rail  
19 and waterway economic development projects; (6) provide for technology based  
20 economic development projects; (7) provide for industrial site development  
21 costs (including, but not limited to land acquisition, construction,  
22 renovation, and equipment acquisition); (8) provide for development of  
23 intermodal facilities (including, but not limited to port and/or waterway  
24 projects, rail spur construction and/or road and highway improvement); (9)  
25 pay the costs of environmental mitigation projects; (10) provide for  
26 construction and/or improvement of water and sewer systems, in a sum not to  
27 exceed .....\$30,000,000.

28 (K) Effective July 1, 2020, the balance of the appropriation provided  
29 in Item (I) of Section 1 of Act 771 of 2019, for funding for an investment in  
30 Arkansas’s workforce through training incentives for companies located in  
31 Arkansas to upgrade skills of their existing workforce, or for a potential  
32 new workforce, and to build capacity within Arkansas to supply on-going  
33 training needs of Arkansas companies and to increase participation in the  
34 State’s school-to-work initiatives,, in a sum not to exceed .....\$3,000,000.

35 (L) Effective July 1, 2020, the balance of the appropriation provided  
36 in Item (J) of Section 1 of Act 771 of 2019, for a transfer to the Economic

1 Development Incentive Quick Action Closing Fund, for incentives to attract  
2 new business and economic development to the state, in a sum not to exceed  
3 .....\$75,000,000.  
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5 SECTION 10. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
6 obligations otherwise incurred in relation to the project or projects  
7 described herein in excess of the State Treasury funds actually available  
8 therefor as provided by law. Provided, however, that institutions and  
9 agencies listed herein shall have the authority to accept and use grants and  
10 donations including Federal funds, and to use its unobligated cash income or  
11 funds, or both available to it, for the purpose of supplementing the State  
12 Treasury funds for financing the entire costs of the project or projects  
13 enumerated herein. Provided further, that the appropriations and funds  
14 otherwise provided by the General Assembly for Maintenance and General  
15 Operations of the agency or institutions receiving appropriation herein shall  
16 not be used for any of the purposes as appropriated in this act.

17 (B) The restrictions of any applicable provisions of the State  
18 Purchasing Law, the General Accounting and Budgetary Procedures Law, the  
19 Revenue Stabilization Law and any other applicable fiscal control laws of  
20 this State and regulations promulgated by the Department of Finance and  
21 Administration, as authorized by law, shall be strictly complied with in  
22 disbursement of any funds provided by this act unless specifically provided  
23 otherwise by law.  
24

25 SECTION 11. LEGISLATIVE INTENT. It is the intent of the General  
26 Assembly that any funds disbursed under the authority of the appropriations  
27 contained in this act shall be in compliance with the stated reasons for  
28 which this act was adopted, as evidenced by the Agency Requests, Executive  
29 Recommendations and Legislative Recommendations contained in the budget  
30 manuals prepared by the Department of Finance and Administration, letters, or  
31 summarized oral testimony in the official minutes of the Arkansas Legislative  
32 Council or Joint Budget Committee which relate to its passage and adoption.  
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34 SECTION 12. EMERGENCY CLAUSE. It is found and determined by the  
35 General Assembly, that the Constitution of the State of Arkansas prohibits  
36 the appropriation of funds for more than a one (1) year period; that the



1 effectiveness of this Act on July 1, 2020 is essential to the operation of  
2 the agency for which the appropriations in this Act are provided, and that in  
3 the event of an extension of the legislative session, the delay in the  
4 effective date of this Act beyond July 1, 2020 could work irreparable harm  
5 upon the proper administration and provision of essential governmental  
6 programs. Therefore, an emergency is hereby declared to exist and this Act  
7 being necessary for the immediate preservation of the public peace, health  
8 and safety shall be in full force and effect from and after July 1, 2020.

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11 **APPROVED: 4/20/20**  
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