

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.

**Act 1492 of the Regular Session**

1 State of Arkansas  
2 86th General Assembly  
3 Regular Session, 2007  
4

*As Engrossed: S3/28/07*

**A Bill**

SENATE BILL 458

5 By: Senator Bryles  
6 By: Representative Hall  
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**For An Act To Be Entitled**

10 AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT  
11 OF EDUCATION - DIVISION OF PUBLIC SCHOOL ACADEMIC  
12 FACILITIES AND TRANSPORTATION FOR CONSTRUCTING,  
13 RENOVATING AND EQUIPPING CHARTER SCHOOL  
14 FACILITIES; AND FOR OTHER PURPOSES.  
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**Subtitle**

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18 AN ACT FOR THE DEPARTMENT OF EDUCATION  
19 - DIVISION OF PUBLIC SCHOOL ACADEMIC  
20 FACILITIES AND TRANSPORTATION -  
21 CONSTRUCTING, RENOVATING AND EQUIPPING  
22 CHARTER SCHOOL FACILITIES GENERAL  
23 IMPROVEMENT APPROPRIATION.  
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26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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28 SECTION 1. APPROPRIATIONS - CHARTER SCHOOL FACILITIES. There is hereby  
29 appropriated, to the Department of Education - Division of Public School  
30 Academic Facilities and Transportation, to be payable from the General  
31 Improvement Fund or its successor fund or fund accounts, the following:

32 (A) For constructing, renovating and equipping *open enrollment charter*  
33 *school facilities that target their services to children in high poverty*  
34 *areas and have demonstrated success in student performance on national norm*  
35 *reference tests and the state's benchmark exams*, the sum of



1 .....\$7,000,000.

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3 SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
4 obligations otherwise incurred in relation to the project or projects  
5 described herein in excess of the State Treasury funds actually available  
6 therefor as provided by law. Provided, however, that institutions and  
7 agencies listed herein shall have the authority to accept and use grants and  
8 donations including Federal funds, and to use its unobligated cash income or  
9 funds, or both available to it, for the purpose of supplementing the State  
10 Treasury funds for financing the entire costs of the project or projects  
11 enumerated herein. Provided further, that the appropriations and funds  
12 otherwise provided by the General Assembly for Maintenance and General  
13 Operations of the agency or institutions receiving appropriation herein shall  
14 not be used for any of the purposes as appropriated in this act.

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

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22 SECTION 3. LEGISLATIVE INTENT. It is the intent of the General Assembly  
23 that any funds disbursed under the authority of the appropriations contained  
24 in this act shall be in compliance with the stated reasons for which this act  
25 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
26 and Legislative Recommendations contained in the budget manuals prepared by  
27 the Department of Finance and Administration, letters, or summarized oral  
28 testimony in the official minutes of the Arkansas Legislative Council or  
29 Joint Budget Committee which relate to its passage and adoption.

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31 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General  
32 Assembly, that the Constitution of the State of Arkansas prohibits the  
33 appropriation of funds for more than a two (2) year period; that the  
34 effectiveness of this Act on July 1, 2007 is essential to the operation of  
35 the agency for which the appropriations in this Act are provided, and that in  
36 the event of an extension of the Regular Session, the delay in the effective

1 date of this Act beyond July 1, 2007 could work irreparable harm upon the  
2 proper administration and provision of essential governmental programs.  
3 Therefore, an emergency is hereby declared to exist and this Act being  
4 necessary for the immediate preservation of the public peace, health and  
5 safety shall be in full force and effect from and after July 1, 2007.

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*/s/ Bryles*

**APPROVED: 4/5/2007**