

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

# A Bill

HOUSE BILL 1410

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 EDUCATION - DIVISION OF HIGHER EDUCATION; AND FOR  
11 OTHER PURPOSES.  
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## Subtitle

14 AN ACT FOR THE DEPARTMENT OF EDUCATION -  
15 DIVISION OF HIGHER EDUCATION  
16 REAPPROPRIATION.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. REAPPROPRIATION - ADE - DHE - DEVELOPMENT AND ENHANCEMENT  
23 FUND. There is hereby appropriated, to the Department of Education, to be  
24 payable from the Development and Enhancement Fund, for the Department of  
25 Education - Division of Higher Education the following:

26 (A) Effective July 1, 2021, the balance of the appropriation provided  
27 in Item (A) of Section 1 of Act 107 of 2020, for various maintenance,  
28 renovation, equipping, construction, acquisition, improvement, upgrade, and  
29 repair of real property and facilities for all public four-year institutions,  
30 two-year institutions, and technical colleges, in a sum not to exceed  
31 .....\$24,850,623.

32 (B) Effective July 1, 2021, the balance of the appropriation provided  
33 in Item (B) of Section 1 of Act 107 of 2020, for grants for scholarships for  
34 Historically Black Colleges and Universities and for personal services and  
35 operating expenses as determined by the Department of Education - Division of  
36 Higher Education for outreach programs to promote awareness of the



1 scholarships for Historically Black Colleges and Universities, in a sum not  
2 to exceed .....\$1,450,000.

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4 SECTION 2. REAPPROPRIATION - ADE - DHE - NTI - DEVELOPMENT AND  
5 ENHANCEMENT FUND. There is hereby appropriated, to the Department of  
6 Education, to be payable from the Development and Enhancement Fund, for the  
7 Department of Education - Division of Higher Education - Northwest Technical  
8 Institute the following:

9 (A) Effective July 1, 2021, the balance of the appropriation provided  
10 in Item (A) of Section 2 of Act 107 of 2020, for Industrial Technology Center  
11 construction, parking, equipment, and furnishings costs, in a sum not to  
12 exceed .....\$36,307.

13 (B) Effective July 1, 2021, the balance of the appropriation provided  
14 in Item (B) of Section 2 of Act 107 of 2020, for transfers of or refund to  
15 expenditures for capital balances for construction, renovation, major  
16 maintenance, and purchase of equipment for various capital projects or  
17 facility improvements, in a sum not to exceed .....\$11,110.

18 (C) Effective July 1, 2021, the balance of the appropriation provided  
19 in Item (C) of Section 2 of Act 107 of 2020, for transfers of or refund to  
20 expenditures for capital balances for construction, renovation, major  
21 maintenance, and purchase of equipment for various capital projects or  
22 facility improvements, in a sum not to exceed .....\$271,275.

23 (D) Effective July 1, 2021, the balance of the appropriation provided  
24 in Item (E) of Section 2 of Act 107 of 2020, for transfers of or refund to  
25 expenditures for capital balances for construction, renovation, major  
26 maintenance, and purchase of equipment for various capital projects or  
27 facility improvements, in a sum not to exceed .....\$1,000,000.

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29 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
30 obligations otherwise incurred in relation to the project or projects  
31 described herein in excess of the State Treasury funds actually available  
32 therefor as provided by law. Provided, however, that institutions and  
33 agencies listed herein shall have the authority to accept and use grants and  
34 donations including Federal funds, and to use its unobligated cash income or  
35 funds, or both available to it, for the purpose of supplementing the State  
36 Treasury funds for financing the entire costs of the project or projects

1 enumerated herein. Provided further, that the appropriations and funds  
2 otherwise provided by the General Assembly for Maintenance and General  
3 Operations of the agency or institutions receiving appropriation herein shall  
4 not be used for any of the purposes as appropriated in this act.

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

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13 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General  
14 Assembly that any funds disbursed under the authority of the appropriations  
15 contained in this act shall be in compliance with the stated reasons for  
16 which this act was adopted, as evidenced by the Agency Requests, Executive  
17 Recommendations and Legislative Recommendations contained in the budget  
18 manuals prepared by the Department of Finance and Administration, letters, or  
19 summarized oral testimony in the official minutes of the Arkansas Legislative  
20 Council or Joint Budget Committee which relate to its passage and adoption.

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22 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General  
23 Assembly, that the Constitution of the State of Arkansas prohibits the  
24 appropriation of funds for more than a one (1) year period; that the  
25 effectiveness of this Act on July 1, 2021 is essential to the operation of  
26 the agency for which the appropriations in this Act are provided, and that in  
27 the event of an extension of the legislative session, the delay in the  
28 effective date of this Act beyond July 1, 2021 could work irreparable harm  
29 upon the proper administration and provision of essential governmental  
30 programs. Therefore, an emergency is hereby declared to exist and this Act  
31 being necessary for the immediate preservation of the public peace, health  
32 and safety shall be in full force and effect from and after July 1, 2021.

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35 APPROVED: 3/1/21  
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