

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

# A Bill

HOUSE BILL 1067

5 By: Representative Pilkington  
6 By: Senator B. Davis  
7

## For An Act To Be Entitled

9 AN ACT TO CREATE THE ARKANSAS BREAST MILK BANK; TO  
10 CREATE THE BREAST MILK BANK SPECIAL FUND; AND FOR  
11 OTHER PURPOSES.  
12  
13

## Subtitle

15 TO CREATE THE ARKANSAS BREAST MILK BANK;  
16 AND TO CREATE THE BREAST MILK BANK  
17 SPECIAL FUND.  
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19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code § 20-7-140 is amended to read as follows:

23 20-7-140. Arkansas standards for human breast milk - Arkansas Breast  
24 Milk Bank.

25 (a) The Department of Health shall establish, by rule, standards for  
26 transporting, processing, and distributing commercial human breast milk on a  
27 for-profit or nonprofit basis in this state.

28 (b) The department may:

29 (1) Convene a committee of subject matter experts to assist in  
30 the development of the standards described in subsection (a) of this section;  
31 and

32 (2) Develop programs to encourage the creation of nonprofit  
33 human breast milk depositories and banks, if funding is available.

34 (c)(1) The Arkansas Breast Milk Bank is created within the University  
35 of Arkansas for Medical Sciences.

36 (2) The Arkansas Breast Milk Bank shall:



1                   (A) Accept and provide breast milk to assist mothers and  
 2 guardians in providing breast milk to their infants;

3                   (B) Screen all breast milk collected before distribution  
 4 of the breast milk;

5                   (C) Collect a reasonable fee, if the University of  
 6 Arkansas for Medical Sciences determines that a fee is necessary for the  
 7 operation of the Arkansas Breast Milk Bank; and

8                   (D) Comply with all standards established by the  
 9 department under subsection (a) of this section.

10                   (3) Any fees, donations, or collections generated from the  
 11 Arkansas Breast Milk Bank shall be deposited into the State Treasury as  
 12 special revenues and shall be credited to the Breast Milk Bank Special Fund  
 13 to be used exclusively for the Arkansas Breast Milk Bank.

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 15           SECTION 2. Arkansas Code § 19-6-301, concerning the enumeration of  
 16 special revenues, is amended to add an additional subdivision to read as  
 17 follows:

18                   (273) Fees collected under § 20-7-140.

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 20           SECTION 3. Arkansas Code Title 19, Chapter 6, Subchapter 8, is amended  
 21 to add an additional section to read as follows:

22                   19-6-843. Breast Milk Bank Special Fund.

23                   (a) There is created on the books of the Treasurer of State, the  
 24 Auditor of State, and the Chief Fiscal Officer of the State a special revenue  
 25 fund to be known as the "Breast Milk Bank Special Fund".

26                   (b) The fund shall consist of:

27                   (1) Fees collected under § 20-7-140;

28                   (2) Money obtained from federal grants or other sources that are  
 29 designated to be credited to the fund;

30                   (3) Gifts, grants, and other moneys both public and private; and

31                   (4) Any other revenues as may be authorized by law.

32                   (c) The fund shall be used by the University of Arkansas for Medical  
 33 Sciences for expenses of the Arkansas Breast Milk Bank.

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 35   **APPROVED: 3/2/21**