

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

# A Bill

SENATE BILL 363

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

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

14 AN ACT FOR THE DEPARTMENT OF COMMERCE -  
15 ARKANSAS ECONOMIC DEVELOPMENT COMMISSION  
16 DEVELOPMENT AND ENHANCEMENT  
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 Department of Commerce - Arkansas Economic  
25 Development Commission, to be payable from the Development and Enhancement  
26 Fund, the following:

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

30 (B) for the purpose of providing grants and/or loans to state agencies,  
31 cities, counties, community-based non-profit organizations and other entities  
32 determined by the Department of Commerce - Arkansas Economic Development  
33 Commission to be eligible to: (1) undertake public works projects and/or job  
34 training efforts which support private sector job creation opportunities; (2)  
35 alleviate conditions which constitute a threat to public health and  
36 wellbeing; (3) partially defray the cost of providing access to publicly



1 owned industrial parks, and/or technology parks; (4) provide for the  
2 expansion of the aircraft and aerospace industry; (5) provide for port, rail  
3 and waterway economic development projects; (6) provide for technology based  
4 economic development projects; (7) provide for industrial site development  
5 costs (including, but not limited to land acquisition, construction,  
6 renovation, and equipment acquisition); (8) provide for development of  
7 intermodal facilities (including, but not limited to port and/or waterway  
8 projects, rail spur construction and/or road and highway improvement); (9)  
9 pay the costs of environmental mitigation projects; (10) provide for  
10 construction and/or improvement of water and sewer systems, in a sum not to  
11 exceed .....\$30,000,000.

12 (C) for funding for an investment in Arkansas’s workforce through  
13 training incentives for companies located in Arkansas to upgrade skills of  
14 their existing workforce, or for a potential new workforce, and to build  
15 capacity within Arkansas to supply on-going training needs of Arkansas  
16 companies and to increase participation in the State’s school-to-work  
17 initiatives, in a sum not to exceed .....\$3,000,000.

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

22 (E) for community improvement grants for equipment, repair,  
23 maintenance, construction, renovation, improvement and upgrade of public  
24 buildings and facilities, in a sum not to exceed .....\$5,000,000.

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

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

34 (H) for grant matching funds and/or loans to state agencies, cities,  
35 counties, community-based non-profit organizations and other eligible  
36 entities applying for consideration with a grant funder that requires

1 matching funds for projects, to maximize contributions, provide cash  
2 assistance, or match contributions to ensure grant funding or contract, in a  
3 sum not to exceed .....\$10,000,000.

4 (I) for grants and/or loans to state agencies, community-based non-  
5 profit organizations, fire departments, counties, municipalities or  
6 subdivisions thereof, or other eligible entities for operating, construction,  
7 improvements, equipment, renovation, and/or maintenance expenses associated  
8 with public buildings, public lands, community centers, memorials, parks,  
9 amphitheaters, museums, recreation centers, fire protection, law enforcement,  
10 libraries, senior centers, and cemeteries, in a sum not to exceed  
11 .....\$30,000,000.

12 (J) for payments on bonds issued for economic development projects  
13 authorized under Amendment 82 to the Constitution of the State of Arkansas of  
14 1874, in a sum not to exceed .....\$7,000,000.

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

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

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

1 Operations of the agency or institutions receiving appropriation herein shall  
2 not be used for any of the purposes as appropriated in this act.

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

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

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

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33 **APPROVED: 4/23/21**  
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