

Hall of the House of Representatives
92nd General Assembly - Regular Session, 2019
Amendment Form

Subtitle of House Bill No. 1341

CONCERNING STATE ACCOUNTING AND BUDGETARY PROCEDURES; TO AMEND THE LAW
CONCERNING STATE AGENCY OPERATIONS PLANS; AND TO AMEND THE LAW CONCERNING THE
EXPENDITURE OF CASH FUNDS.

Amendment No. 2 to House Bill 1341

Amend House Bill No. 1341 as engrossed, H2/6/19 (version: 02/06/2019 9:35:30 AM)

Delete Representative Sullivan as a cosponsor of the bill

AND

Add Representatives Brown, Christiansen, Della Rosa, Gates, M. Gray, Ladyman, Lundstrum, Lynch, McCollum, Penzo, Petty, Rushing, S. Smith, Speaks, Vaught as cosponsors of the bill

AND

Page 1, delete lines 10 and 11, and substitute the following:
"PROCEDURES; TO CREATE THE GOVERNMENT FINANCIAL DISCLOSURE AND ACCOUNTABILITY ACT OF 2019; TO AMEND THE LAW CONCERNING THE BUDGET REQUESTS OF CERTAIN STATE OFFICES AND DEPARTMENTS; TO AMEND THE LAW CONCERNING THE"

AND

Delete the subtitle in its entirety and substitute:

"TO CREATE THE GOVERNMENT FINANCIAL
DISCLOSURE AND ACCOUNTABILITY ACT OF
2019."

AND

Delete everything after the enacting clause, and substitute the following:
"SECTION 1. DO NOT CODIFY. Title.



This act shall be known and may be cited as the "Government Financial Disclosure and Accountability Act of 2019".

SECTION 2. DO NOT CODIFY. Legislative intent.

(a) It is the intent of the General Assembly:

- (1) To provide for additional transparency in the budgeting and expenditure procedures used by constitutional officers and agencies;
- (2) To require additional financial disclosures to better enable the General Assembly to responsibly appropriate state funds;
- (3) To ensure that the state and the public have the necessary information to determine whether state funds are being used in an appropriate and fiscally responsible manner; and
- (4) That, to the extent this section conflicts with any provision of the Arkansas Constitution, the Arkansas Constitution applies.

(b) It is not the intent of the General Assembly to:

- (1) Make the constitutional officers and agencies state agencies for purposes of state accounting and budgetary procedures;
- (2) Require the constitutional officers and agencies to submit annual operations plans that are the same as the annual operations plans required for state agencies; or
- (3) Apply the procurement laws in Arkansas Code, Title 19, Chapter 11, to the constitutional officers and agencies to the extent that the procurement laws do not already apply.

SECTION 3. Arkansas Code § 19-4-201(b)(2), concerning the authority of the Governor with respect to the execution of the state budget, is amended to read as follows:

(2)(A) Budget requests for administration and operation of the legislative branch, the judicial branch, the elective constitutional offices, the Arkansas Department of Transportation, the Office of the Arkansas Lottery, and the Arkansas State Game and Fish Commission shall be submitted directly to the Legislative Council without any recommendation by the Governor.

(B) Each budget request submitted under subdivision (b)(2)(A) of this section shall:

- (i) Include all of the information required for other public entities under this chapter;
- (ii) Be in substantially the same format as budget requests for other public entities under this chapter; and
- (iii) Include a detailed listing of any unappropriated funds, including without limitation the sources of the funds, the fund balances, and the expenditures of the funds for the previous fiscal year.

SECTION 4. Arkansas Code Title 19, Chapter 4, Subchapter 8, is amended to add an additional section to read as follows:

19-4-817. Constitutional officers and agencies.

(a) Beginning with fiscal year 2021, cash funds of the following constitutional officers and departments shall be budgeted and proposed expenditures approved by enactments of the General Assembly:

- (1) The Governor;
- (2) The Secretary of State;
- (3) The Attorney General;
- (4) The Treasurer of State;
- (5) The Auditor of State;
- (6) The Commissioner of State Lands;
- (7) The Supreme Court and its justices;
- (8) The Arkansas State Game and Fish Commission;
- (9) The Arkansas Department of Transportation;
- (10) The General Assembly; and
- (11) The respective staffs of the officers listed in this

subsection.

(b) The General Assembly shall budget, approve, and appropriate expenditures of cash funds by the enactment of separate appropriation bills setting forth the purpose for which the moneys are to be expended and the dollar amount to be expended for that purpose.

(c) The constitutional officers and agencies listed in subsection (a) of this section shall submit any budgetary information requested by the Legislative Council and shall undertake whatever budgetary procedures the Legislative Council may establish for the appropriation of cash funds."

The Amendment was read

By: Representative Cavanaugh

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Chief Clerk