

Stricken language will be deleted and underlined language will be added.

1 State of Arkansas *As Engrossed: H1/27/21 H3/15/21 H4/21/21*  
2 93rd General Assembly **A Bill**  
3 Regular Session, 2021

HOUSE BILL 1187

4  
5 By: Joint Budget Committee  
6

7 **For An Act To Be Entitled**

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
9 AND OPERATING EXPENSES FOR THE SECRETARY OF STATE FOR  
10 THE FISCAL YEAR ENDING JUNE 30, 2022; AND FOR OTHER  
11 PURPOSES.  
12  
13

14 **Subtitle**

15 AN ACT FOR THE SECRETARY OF STATE  
16 APPROPRIATION FOR THE 2021-2022 FISCAL  
17 YEAR.  
18  
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
21

22 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established  
23 for the Secretary of State for the 2021-2022 fiscal year, the following  
24 maximum number of regular employees.  
25

| 26 |      |       |                                     | Maximum Annual |           |
|----|------|-------|-------------------------------------|----------------|-----------|
| 27 |      |       | Maximum                             | Salary Rate    |           |
| 28 | Item | Class | No. of                              | Fiscal Year    |           |
| 29 | No.  | Code  | Title                               | Employees      | 2021-2022 |
| 30 | (1)  | Q171U | SEC OF STATE CHIEF DEPUTY           | 1              | \$125,986 |
| 31 | (2)  | Q172U | SEC OF STATE DEPUTY                 | 2              | \$112,900 |
| 32 | (3)  | Q174U | SEC OF STATE SENIOR INFO TECHNICIAN | 1              | \$103,970 |
| 33 | (4)  | Q173U | SEC OF STATE GENERAL COUNSEL        | 1              | \$101,175 |
| 34 | (5)  | Q175U | SEC OF STATE INFO TECHNICIAN        | 1              | \$93,445  |
| 35 | (6)  | Q178U | SEC OF STATE CAPITOL POLICE CHIEF   | 1              | \$90,670  |
| 36 | (7)  | Q176U | SEC OF STATE DEPARTMENT DIRECTOR    | 7              | \$90,670  |



|    |      |                                              |    |          |
|----|------|----------------------------------------------|----|----------|
| 1  | (8)  | Q177U SEC OF STATE ASSOCIATE COUNSEL         | 1  | \$81,257 |
| 2  | (9)  | Q179U SEC OF STATE SYSTEMS ANALYST           | 1  | \$75,054 |
| 3  | (10) | Q184U SEC OF STATE BUDGET ANALYST            | 1  | \$72,822 |
| 4  | (11) | Q183U SEC OF STATE DEPARTMENT MANAGER        | 1  | \$72,822 |
| 5  | (12) | Q182U SEC OF STATE SENIOR SUPERVISOR         | 1  | \$72,822 |
| 6  | (13) | Q181U SEC OF STATE CAPITOL POLICE CAPTAIN    | 1  | \$72,822 |
| 7  | (14) | Q190U SEC OF STATE INFO TECH ANALYST         | 1  | \$67,267 |
| 8  | (15) | Q185U SEC OF STATE PROGRAMMER ANALYST        | 1  | \$67,267 |
| 9  | (16) | Q197U SEC OF STATE PROJECT COORDINATOR II    | 3  | \$65,265 |
| 10 | (17) | Q192U SEC OF STATE DEPARTMENT SUPERVISOR     | 2  | \$65,265 |
| 11 | (18) | Q188U SEC OF STATE TRADE SUPERVISOR          | 2  | \$65,265 |
| 12 | (19) | Q187U SEC OF STATE POLICE SERGEANT           | 5  | \$65,265 |
| 13 | (20) | Q186U SEC OF STATE ASSISTANT DIRECTOR        | 3  | \$65,265 |
| 14 | (21) | Q195U SEC OF STATE INFO TECH ADMINISTRATOR   | 2  | \$60,288 |
| 15 | (22) | Q231U SEC OF STATE PROJECT COORDINATOR I     | 4  | \$58,493 |
| 16 | (23) | Q212U SEC OF STATE BLDGS & GRND SUPERVISOR I | 3  | \$58,493 |
| 17 | (24) | Q201U SEC OF STATE CORPORAL                  | 24 | \$58,493 |
| 18 | (25) | Q198U SEC OF STATE BUSINESS ACCOUNTANT II    | 3  | \$58,493 |
| 19 | (26) | Q194U SEC OF STATE CREATIVE SPECIALIST III   | 1  | \$58,493 |
| 20 | (27) | Q193U SEC OF STATE MASTER TRADESPERSON       | 2  | \$58,493 |
| 21 | (28) | Q191U SEC OF STATE ELECTION COORDINATOR      | 5  | \$58,493 |
| 22 | (29) | Q180U SEC OF STATE PUBLIC EVENTS COORD       | 1  | \$58,493 |
| 23 | (30) | Q199U SEC OF STATE INFO TECH SPECIALIST      | 1  | \$54,035 |
| 24 | (31) | Q210U SEC OF STATE CORPORATIONS REP III      | 4  | \$52,425 |
| 25 | (32) | Q209U SEC OF STATE TRADESPERSON              | 2  | \$52,425 |
| 26 | (33) | Q208U SEC OF STATE MAINTENANCE WORKER II     | 4  | \$52,425 |
| 27 | (34) | Q204U SEC OF STATE EXECUTIVE ASSISTANT       | 4  | \$52,425 |
| 28 | (35) | Q203U SEC OF STATE CREATIVE SPECIALIST II    | 2  | \$52,425 |
| 29 | (36) | Q202U SEC OF STATE VOTER SVCS ADMINISTRATOR  | 2  | \$52,425 |
| 30 | (37) | Q200U SEC OF STATE CUSTOMER SVCS COORD II    | 3  | \$52,425 |
| 31 | (38) | Q215U SEC OF STATE ADMINISTRATIVE ASST III   | 7  | \$46,987 |
| 32 | (39) | Q214U SEC OF STATE FACILITIES SVC REP II     | 1  | \$46,987 |
| 33 | (40) | Q213U SEC OF STATE CREATIVE SPECIALIST I     | 1  | \$46,987 |
| 34 | (41) | Q211U SEC OF STATE RECORDS SPECIALIST        | 2  | \$46,987 |
| 35 | (42) | Q206U SEC OF STATE BLDG SVCS COORDINATOR     | 1  | \$46,987 |
| 36 | (43) | Q222U SEC OF STATE MAINTENANCE WORKER I      | 4  | \$42,117 |

|    |      |                                           |          |          |
|----|------|-------------------------------------------|----------|----------|
| 1  | (44) | Q221U SEC OF STATE FACILITIES SVC REP I   | 4        | \$42,117 |
| 2  | (45) | Q219U SEC OF STATE CORPORATIONS REP II    | 11       | \$42,117 |
| 3  | (46) | Q218U SEC OF STATE BUSINESS ASSISTANT I   | 3        | \$42,117 |
| 4  | (47) | Q216U SEC OF STATE ADMINISTRATIVE ASST II | 3        | \$42,117 |
| 5  | (48) | Q229U SEC OF STATE MAIL CLERK             | 1        | \$37,749 |
| 6  | (49) | Q225U SEC OF STATE DISPATCHER             | 2        | \$37,749 |
| 7  | (50) | Q224U SEC OF STATE CUSTODIAN II           | 1        | \$37,749 |
| 8  | (51) | Q223U SEC OF STATE CORPORATIONS REP I     | 4        | \$37,749 |
| 9  | (52) | Q220U SEC OF STATE ADMINISTRATIVE ASST I  | 5        | \$37,749 |
| 10 | (53) | Q227U SEC OF STATE CUSTODIAN I            | 5        | \$33,836 |
| 11 | (54) | Q226U SEC OF STATE BLDG SVCS REP          | 2        | \$33,836 |
| 12 | (55) | Q230U SEC OF STATE RECEPTIONIST I         | <u>1</u> | \$31,900 |
| 13 |      | MAX. NO. OF EMPLOYEES                     | 162      |          |

15 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for  
 16 the Secretary of State - Operations for the 2021-2022 fiscal year, the  
 17 following maximum number of part-time or temporary employees, to be known as  
 18 "Extra Help", payable from funds appropriated herein for such purposes:  
 19 forty-five (45) temporary or part-time employees, when needed, at rates of  
 20 pay not to exceed those provided in the Uniform Classification and  
 21 Compensation Act, or its successor, or this act for the appropriate  
 22 classification.

24 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,  
 25 to the Secretary of State, to be payable from the State Central Services  
 26 Fund, for personal services and operating expenses of the Secretary of State  
 27 for the fiscal year ending June 30, 2022, the following:

| 29 | ITEM                            | FISCAL YEAR      |
|----|---------------------------------|------------------|
| 30 | <u>NO.</u>                      | <u>2021-2022</u> |
| 31 | (01) REGULAR SALARIES           | \$9,103,837      |
| 32 | (02) EXTRA HELP                 | 144,909          |
| 33 | (03) PERSONAL SERVICES MATCHING | 3,019,886        |
| 34 | (04) OVERTIME                   | 33,000           |
| 35 | (05) MAINT. & GEN. OPERATION    |                  |
| 36 | (A) OPER. EXPENSE               | 4,258,525        |

|   |                                     |                            |
|---|-------------------------------------|----------------------------|
| 1 | (B) CONF. & TRAVEL                  | 65,651                     |
| 2 | (C) PROF. FEES                      | 205,956                    |
| 3 | (D) CAP. OUTLAY                     | 210,000                    |
| 4 | (E) DATA PROC.                      | 0                          |
| 5 | (06) BUILDING & GROUNDS MAINTENANCE | 372,678                    |
| 6 | (07) SPECIAL MAINTENANCE            | 675,048                    |
| 7 | (08) ELECTION EXPENSES              | <u>3,088,029</u>           |
| 8 | TOTAL AMOUNT APPROPRIATED           | <u><u>\$21,177,519</u></u> |

9

10 SECTION 4. APPROPRIATION - CAPITOL GROUNDS MONUMENT/MEMORIAL

11 PRESERVATION. There is hereby appropriated, to the Secretary of State, to be  
 12 payable from the Capitol Grounds Monument And Memorial Preservation Fund, for  
 13 various construction and operating expenses for the preservation of Monuments  
 14 and Memorials on the State Capitol Grounds by the Secretary of State for the  
 15 fiscal year ending June 30, 2022, the following:

16

|    |                                       |                        |
|----|---------------------------------------|------------------------|
| 17 | ITEM                                  | FISCAL YEAR            |
| 18 | <u>NO.</u>                            | <u>2021-2022</u>       |
| 19 | (01) VARIOUS OPERATING & CONSTRUCTION |                        |
| 20 | EXPENSES FOR MONUMENT/MEMORIAL        |                        |
| 21 | PRESERVATION                          | <u><u>\$77,456</u></u> |

22

23 SECTION 5. APPROPRIATION - ARKANSAS STATE CAPITOL BUILDINGS & GROUNDS  
 24 RESTORATION - CASH. There is hereby appropriated, to the Secretary of State,  
 25 to be payable from the cash fund deposited in the State Treasury as  
 26 determined by the Chief Fiscal Officer of the State, from contributions and  
 27 donations for maintenance and restoration projects by the Secretary of State  
 28 for the fiscal year ending June 30, 2022, the following:

29

|    |                              |                  |
|----|------------------------------|------------------|
| 30 | ITEM                         | FISCAL YEAR      |
| 31 | <u>NO.</u>                   | <u>2021-2022</u> |
| 32 | (01) MAINT. & GEN. OPERATION |                  |
| 33 | (A) OPER. EXPENSE            | \$25,000         |
| 34 | (B) CONF. & TRAVEL           | 0                |
| 35 | (C) PROF. FEES               | 0                |
| 36 | (D) CAP. OUTLAY              | 0                |

|   |                           |                        |
|---|---------------------------|------------------------|
| 1 | (E) DATA PROC.            | <u>0</u>               |
| 2 | TOTAL AMOUNT APPROPRIATED | <u><u>\$25,000</u></u> |

3

4 SECTION 6. APPROPRIATION - ADMINISTRATIVE & MAINTENANCE - CASH. There  
 5 is hereby appropriated, to the Secretary of State, to be payable from cash  
 6 funds as defined by Arkansas Code 19-4-801, for various operating and  
 7 associated expenses for administrative and maintenance expenses for the State  
 8 Capitol grounds for the fiscal year ending June 30, 2022, the following:

9

| 10 | ITEM                                      | FISCAL YEAR             |
|----|-------------------------------------------|-------------------------|
| 11 | <u>NO.</u>                                | <u>2021-2022</u>        |
| 12 | (01) VARIOUS ADMINISTRATIVE & MAINTENANCE |                         |
| 13 | EXPENSES                                  | <u><u>\$375,000</u></u> |

14

15 SECTION 7. APPROPRIATION - FEE AND TAX REFUNDS. There is hereby  
 16 appropriated, to the Secretary of State, to be payable from the Miscellaneous  
 17 Revolving Fund, for refunds and reimbursements of corporate filings fees and  
 18 franchise taxes for the fiscal year ending June 30, 2022, the following:

19

| 20 | ITEM                        | FISCAL YEAR             |
|----|-----------------------------|-------------------------|
| 21 | <u>NO.</u>                  | <u>2021-2022</u>        |
| 22 | (01) REFUNDS/REIMBURSEMENTS | <u><u>\$550,000</u></u> |

23

24 SECTION 8. APPROPRIATION - COUNTY VOTING SYSTEM GRANT FUND. There is  
 25 hereby appropriated, to the Secretary of State, to be payable from the County  
 26 Voting System Grant Fund, for professional fees and services for upgrading or  
 27 purchasing county voting systems, grants and aid for voting system equipment,  
 28 programming, maintenance or equipment and devices used to view voter  
 29 registration records at a polling location and refunds/reimbursements of fees  
 30 for the fiscal year ending June 30, 2022, the following:

31

| 32 | ITEM                             | FISCAL YEAR                |
|----|----------------------------------|----------------------------|
| 33 | <u>NO.</u>                       | <u>2021-2022</u>           |
| 34 | (01) COUNTY VOTING SYSTEMS GRANT | <u><u>\$10,000,000</u></u> |

35

36 SECTION 9. APPROPRIATION - ARKANSAS VIDEO SERVICE ACT. There is hereby

1 appropriated, to the Secretary of State, to be payable from the Arkansas  
2 Video Service Fund, for the review and issue of certificates of franchise  
3 authority and refunds/reimbursements of fees of the Arkansas Video Service  
4 Act for the fiscal year ending June 30, 2022, the following:

| 6 ITEM                            | FISCAL YEAR      |
|-----------------------------------|------------------|
| 7 <u>NO.</u>                      | <u>2021-2022</u> |
| 8 (01) ARKANSAS VIDEO SERVICE ACT | <u>\$25,000</u>  |

9  
10 SECTION 10. APPROPRIATION - NATIONAL STATUARY HALL COLLECTION. There is  
11 hereby appropriated, to the Secretary of State, to be payable from the  
12 National Statuary Hall Collection Trust Fund, for placement and replacement  
13 of Arkansas statues in the National Statuary Hall Collection in the United  
14 States Capitol as provided under § 1-4-134 for the fiscal year ending June  
15 30, 2022, the sum of.....\$750,000.

16  
17 SECTION 11. APPROPRIATION - HELP AMERICA VOTE ACT - FEDERAL. There is  
18 hereby appropriated, to the Secretary of State, to be payable from the  
19 federal funds as designated by the Chief Fiscal Officer of the State, for  
20 expenditures requiring state matching for maintenance, operating expenses and  
21 associated costs for the Help America Vote Act for the fiscal year ending  
22 June 30, 2022, the sum of.....\$5,500,000.

23  
24 SECTION 12. APPROPRIATION - CASH FUNDS - GIFT SHOP AND 500 GRILL.  
25 *There is hereby appropriated to the Secretary of State, to be payable from*  
26 *the cash funds as defined by Arkansas Code 19-4-801, for personal services*  
27 *and miscellaneous operating expenses of the Gift Shop and 500 Grill of the*  
28 *Secretary of State for the fiscal year ending June 30, 2022, the sum*  
29 *of.....\$490,000.*

30  
31 SECTION 13. APPROPRIATION - CASH FUNDS - GIFT SHOP AND 500 GRILL.  
32 *There is hereby appropriated to the Secretary of State, to be payable from*  
33 *the cash funds as defined by Arkansas Code 19-4-801, for personal services*  
34 *and miscellaneous operating expenses of the Gift Shop and 500 Grill of the*  
35 *Secretary of State for the fiscal year ending June 30, 2021, the sum*  
36 *of.....\$490,000.*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36

*SECTION 14. APPROPRIATION - ELECTRONIC FILING SYSTEM - CASH. There is hereby appropriated to the Secretary of State, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for expenses relating to the Secretary of State's Financial Disclosure Online Filing System for the fiscal year ending June 30, 2022, the sum of.....\$1,500,000.*

SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER PROVISION. After receiving approval from the Chief Fiscal Officer of the State, and prior review by the Arkansas Legislative Council or Joint Budget Committee, the Agency is authorized to transfer appropriation from any line item authorized in Operations appropriation to any other line item authorized in Operations appropriation.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE CAPITOL POLICE. In the event that sufficient revenues, in the judgment of the Secretary of State exist, the Secretary is hereby authorized to make additional salary payments from such funds to those employees who have attained law enforcement certification above the basic certificate level, as defined by the Arkansas Commission on Law Enforcement Standards. It is the intent of this Section that such payment shall be optional, at the discretion of the Secretary, dependent on sufficient revenues and shall not be implemented using funds specifically set aside for other programs within the Department.

Employees shall be eligible for all or a portion of additional salary payments scheduled as follows:

- I. General Certificate - \$ 300 annually
- II. Intermediate Certificate - \$ 600 annually
- III. Advanced Certificate - \$ 900 annually
- IV. Senior Certificate - \$1,200 annually

Payment of such funds may be made monthly, quarterly, semiannually or

1 annually depending upon the availability of revenues and shall be restricted  
2 to the following classifications:

- 3 1. Sec. of State Capitol Police Chief
- 4 2. Sec. of State Police Sergeant
- 5 3. Sec. of State Corporal
- 6 4. Sec. of State Capitol Police Captain

7 Payments made under this Section which are awarded as partial or lump sum  
8 payments shall not be considered as salary for purposes of retirement  
9 benefits but shall be subject to withholding of all applicable federal and  
10 state taxes. Payments made under this Section shall not be construed as  
11 exceeding the maximum annual salary of the employee.

12 The provisions of this section shall be in effect only from July 1, ~~2020~~  
13 2021 through June 30, ~~2021~~ 2022.

14  
15 *SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE*  
16 *ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.*  
17 *PERMANENT GIFT SHOP. The Arkansas Secretary of State shall operate a gift*  
18 *shop to be permanently located in a space on the first floor of the State*  
19 *Capitol Building. It shall be the duty of the Secretary of State to maintain*  
20 *a space on the first floor of the State Capitol Building for the use of a*  
21 *gift shop. The Arkansas Secretary of State is prohibited from removing a*  
22 *gift shop from the first floor of the State Capitol Building or to nullify or*  
23 *void the provisions of this section. A space on the first floor of the State*  
24 *Capitol Building shall be the only location for the Arkansas Secretary of*  
25 *State gift shop operations and shall be the only location items of the*  
26 *Arkansas Secretary of State gift shop are sold to the public.*

27  
28 *SECTION 18. COMPLIANCE WITH OTHER LAWS. Disbursement of funds*  
29 *authorized by this act shall be limited to the appropriation for such agency*  
30 *and funds made available by law for the support of such appropriations; and*  
31 *the restrictions of the State Procurement Law, the General Accounting and*  
32 *Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary*  
33 *Procedures and Restrictions Act, or their successors, and other fiscal*  
34 *control laws of this State, where applicable, and regulations promulgated by*  
35 *the Department of Finance and Administration, as authorized by law, shall be*  
36 *strictly complied with in disbursement of said funds.*



1  
2 SECTION 19. LEGISLATIVE INTENT. It is the intent of the General  
3 Assembly that any funds disbursed under the authority of the appropriations  
4 contained in this act shall be in compliance with the stated reasons for  
5 which this act was adopted, as evidenced by the Agency Requests, Executive  
6 Recommendations and Legislative Recommendations contained in the budget  
7 manuals prepared by the Department of Finance and Administration, letters, or  
8 summarized oral testimony in the official minutes of the Arkansas Legislative  
9 Council or Joint Budget Committee which relate to its passage and adoption.  
10

11 SECTION 20. EMERGENCY CLAUSE. It is found and determined by the  
12 General Assembly, that the Constitution of the State of Arkansas prohibits  
13 the appropriation of funds for more than a one (1) year period; that the  
14 effectiveness of this Act on July 1, 2021 is essential to the operation of  
15 the agency for which the appropriations in this Act are provided; with the  
16 exception that Section 13 in this Act shall be in full force and effect from  
17 and after the date of its passage and approval; and that in the event of an  
18 extension of the Session, the delay in the effective date of this Act beyond  
19 July 1, 2021, with the exception that Section 13 in this Act shall be in full  
20 force and effect from and after the date of its passage and approval, could  
21 work irreparable harm upon the proper administration and provision of  
22 essential governmental programs. Therefore, an emergency is hereby declared  
23 to exist and this Act being necessary for the immediate preservation of the  
24 public peace, health and safety shall be in full force and effect from and  
25 after July 1, 2021; with the exception that Section 13 in this Act shall be  
26 in full force and effect from and after the date of its passage and approval.  
27  
28

29 /s/ Joint Budget Committee  
30  
31  
32  
33  
34  
35  
36