

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.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF EDUCATION -
15 DIVISION OF HIGHER EDUCATION
16 REAPPROPRIATION.
17
18
19

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

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.

3
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.

28
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.

12
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.

21
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.