

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

A Bill

SENATE BILL 205

5 By: Senator Hickey
6

For An Act To Be Entitled

8 AN ACT TO AMEND ARKANSAS LAW TO REQUIRE THE REPORTING
9 OF EXPENDITURES, TRANSFERS, AGREED-UPON COMMITMENTS,
10 OR OTHER OBLIGATIONS OF FUNDS FROM THE RAINY DAY
11 FUND; TO DECLARE AN EMERGENCY; AND FOR OTHER
12 PURPOSES.
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Subtitle

15 TO AMEND ARKANSAS LAW TO REQUIRE THE
16 REPORTING OF EXPENDITURES, TRANSFERS,
17 AGREED-UPON COMMITMENTS, OR OTHER
18 OBLIGATIONS OF FUNDS FROM THE RAINY DAY
19 FUND; AND TO DECLARE AN EMERGENCY.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. TEMPORARY LANGUAGE. DO NOT CODIFY. Reporting of
26 expenditures, transfers, agreed-upon commitments, or other obligations of
27 funds from Rainy Day Fund.

28 (a)(1) In order to maintain transparency of the use of state funds, an
29 expenditure, transfer, agreed-upon commitment, or other obligation of funds
30 from the Rainy Day Fund shall be reported by the Chief Fiscal Officer of the
31 State to the cochairs of the:

32 (A) Legislative Council; or

33 (B) Joint Budget Committee, if the General Assembly is in
34 regular, fiscal, or extraordinary session.

35 (2) Upon receipt of a report under subdivision (a)(1) of this
36 section, the cochairs of the Legislative Council or the Joint Budget



1 Committee shall promptly distribute the report to the full membership of the
2 Legislative Council or the Joint Budget Committee.

3 (b) A report under subdivision (a)(1) of this section shall include
4 without limitation:

5 (1) The amount or anticipated amount of the expenditure,
6 transfer, agreed-upon commitment, or other obligation of funds;

7 (2) The agency or other institution of state government
8 receiving the expenditure, transfer, agreed-upon commitment, or other
9 obligation of funds;

10 (3) The purpose of the expenditure, transfer, agreed-upon
11 commitment, or other obligation of funds; and

12 (4) Any other information requested by the Legislative Council
13 or the Joint Budget Committee.

14 (c)(1) The Chief Fiscal Officer of the State shall report all
15 expenditures, transfers, agreed-upon commitments, or other obligations of
16 funds from the fund occurring from January 11, 2021, until the effective date
17 of this act in the manner provided under subsections (a) and (b) of this
18 section within one (1) day of the effective date of this act.

19 (2) Expenditures, transfers, agreed-upon commitments, or other
20 obligations of funds from the fund on and after the effective date of this
21 act shall be reported in the manner provided under subsections (a) and (b) of
22 this section within one (1) day of the expenditure, transfer, agreed-upon
23 commitment, or other obligations of funds.

24 (d) This section is supplemental to any other provisions of law
25 applicable to the transfer, appropriation, or reporting of funds under § 19-
26 5-1262.

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28 SECTION 2. EXPIRATION DATE. This act expires on the thirty-first day
29 following the sine die adjournment of the regular session of the Ninety-Third
30 General Assembly.

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32 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the
33 General Assembly of the State of Arkansas that transparency regarding the use
34 of public funds is fundamental to the effective operation of state government
35 and maintains the public peace, health, and safety by allowing lawmakers and
36 the citizens of this state to ensure that public funds are spent

1 appropriately and in a manner that serves the needs of the citizens of this
2 state; that this act provides for transparency in the use of funds from the
3 Rainy Day Fund; and that this act should become effective at the earliest
4 opportunity to protect the public peace, health, and safety by allowing for
5 prompt transparency regarding any transfers from the Rainy Day Fund and to
6 provide lawmakers and the citizens of this state critical information
7 regarding those transfers. Therefore, an emergency is declared to exist, and
8 this act being immediately necessary for the preservation of the public
9 peace, health, and safety shall become effective on:

10 (1) The date of its approval by the Governor;

11 (2) If the bill is neither approved nor vetoed by the Governor,
12 the expiration of the period of time during which the Governor may veto the
13 bill; or

14 (3) If the bill is vetoed by the Governor and the veto is
15 overridden, the date the last house overrides the veto.

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