

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

# A Bill

SENATE BILL 274

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 COMMERCE - STATE INSURANCE DEPARTMENT; AND FOR OTHER  
11 PURPOSES.  
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## Subtitle

14 AN ACT FOR THE DEPARTMENT OF COMMERCE -  
15 STATE INSURANCE DEPARTMENT  
16 REAPPROPRIATION.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. REAPPROPRIATION - STATE BOARD OF EMBALMERS, FUNERAL  
23 DIRECTORS, CEMETERIES AND BURIAL SERVICES. There is hereby appropriated, to  
24 the Department of Commerce, to be payable from the Development and  
25 Enhancement Fund, for the Department of Commerce - State Insurance Department  
26 the following:

27 (A) Effective July 1, 2021, the balance of the appropriation provided  
28 in Item (A) of Section 1 of Act 116 of 2020, for cemetery maintenance and  
29 operations costs for insolvent, licensed perpetual care cemeteries that have  
30 been in court ordered receivership or conservatorship for five (5) years or  
31 more and acquisition costs of such cemetery not to exceed one thousand  
32 dollars plus any necessary costs associated with the purchase or for grants  
33 to be made to non-profit/government entity owners of perpetual care  
34 cemeteries of historic nature or grants to be made to non-profit entities for  
35 the care and improvement of perpetual care cemeteries of historic nature, in  
36 a sum not to exceed .....\$101,000.



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2 SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
3 obligations otherwise incurred in relation to the project or projects  
4 described herein in excess of the State Treasury funds actually available  
5 therefor as provided by law. Provided, however, that institutions and  
6 agencies listed herein shall have the authority to accept and use grants and  
7 donations including Federal funds, and to use its unobligated cash income or  
8 funds, or both available to it, for the purpose of supplementing the State  
9 Treasury funds for financing the entire costs of the project or projects  
10 enumerated herein. Provided further, that the appropriations and funds  
11 otherwise provided by the General Assembly for Maintenance and General  
12 Operations of the agency or institutions receiving appropriation herein shall  
13 not be used for any of the purposes as appropriated in this act.

14 (B) The restrictions of any applicable provisions of the State  
15 Purchasing Law, the General Accounting and Budgetary Procedures Law, the  
16 Revenue Stabilization Law and any other applicable fiscal control laws of  
17 this State and regulations promulgated by the Department of Finance and  
18 Administration, as authorized by law, shall be strictly complied with in  
19 disbursement of any funds provided by this act unless specifically provided  
20 otherwise by law.

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22 SECTION 3. LEGISLATIVE INTENT. It is the intent of the General  
23 Assembly that any funds disbursed under the authority of the appropriations  
24 contained in this act shall be in compliance with the stated reasons for  
25 which this act was adopted, as evidenced by the Agency Requests, Executive  
26 Recommendations and Legislative Recommendations contained in the budget  
27 manuals prepared by the Department of Finance and Administration, letters, or  
28 summarized oral testimony in the official minutes of the Arkansas Legislative  
29 Council or Joint Budget Committee which relate to its passage and adoption.

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31 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General  
32 Assembly, that the Constitution of the State of Arkansas prohibits the  
33 appropriation of funds for more than a one (1) year period; that the  
34 effectiveness of this Act on July 1, 2021 is essential to the operation of  
35 the agency for which the appropriations in this Act are provided, and that in  
36 the event of an extension of the legislative session, the delay in the

effective date of this Act beyond July 1, 2021 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2021.

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