

**Hall of the House of Representatives**  
84th General Assembly - Second Extraordinary Session, 2003  
**Amendment Form**

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**Subtitle of House Bill No. 1008**

"AN ACT TO LIMIT THE AMOUNT OF STATE FUNDS THAT MAY BE USED TO  
SUPPORT INTERSCHOOL ATHLETIC PROGRAMS IN PUBLIC SCHOOLS."

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**Amendment No. 1 to House Bill No. 1008.**

Amend House Bill No. 1008 as originally introduced:

Page 1, line 9, delete "LIMIT" and substitute "TRACK"

AND

Page 1, line 10, delete "MAY BE" and substitute "ARE"

AND

Delete the subtitle in its entirety and substitute:

"TO TRACK THE AMOUNT OF STATE  
FUNDS THAT ARE USED TO SUPPORT  
ATHLETIC PROGRAMS IN PUBLIC SCHOOLS."

AND

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 6, Chapter 20, is amended to add an  
additional subchapter to read as follows:

6-20-2001. Purpose.

The purpose of this subchapter is to track and account for the amount  
of state funds that is used to support interschool athletic programs in  
public schools.

6-20-2002. Definitions.

As used in this subchapter:

(1) "Athletic expenditures" means all direct and indirect  
expenses related to interschool athletic programs, prorated if necessary,  
including but not limited to:

(A) Salaries or supplemental pay for staff for interschool  
athletic programs, excluding salaries received for duties as a classroom  
teacher;

(B) All fringe benefits, including, but not limited to,



medical and dental insurance, workers' compensation, pension plans, and any other cost associated with employment of staff for interschool athletic programs;

(C) Travel, including bus-related operation and maintenance;

(D) Equipment;

(E) Meals;

(F) Supplies;

(G) Property and medical insurance;

(H) Medical expenses;

(I) Utilities; and

(J) Maintenance of facilities related to interschool athletic teams and spirit groups, excluding bands;

(2) "Classroom teacher" means an individual who is required to hold a teaching license from the Department of Education and who is engaged directly in instruction with students in a classroom setting for more than seventy percent (70%) of the individual's contracted time;

(3) "Interschool athletic program" means:

(A) Any athletic program which is organized primarily for the purpose of competing with other schools, public or private; or

(B) Any athletic program which is subject to regulation by the Arkansas Activities Association; and

(4) "State funds" means all money derived from state revenues, specifically including but not limited to, the uniform rate of ad valorem property tax established under Arkansas Constitution, Amendment 74, and distributed to a public school or school district.

6-20-2003. Certification by local district school board.

(a) Annually by September 15 of each year, the local school board of each school district shall:

(1) In a written report, certify to the State Board of Education:

(A) For the previous school year, the amount of the district's total athletic expenditures for interschool athletic programs and separately within the report, if expenditures were paid from:

(i) State funds;

(ii) Ticket sales;

(iii) Donations or fundraisers;

(iv) Local funds in excess of the uniform rate of ad valorem property tax under Arkansas Constitution, Amendment 74; or

(v) Other sources of funding. For other sources of funding, the report shall identify the source.

(B) For the upcoming school year, the district's total athletic expenditures budgeted for interschool athletic programs, indicating separately within the report, if expenditures are to be paid from:

(i) State funds;

(ii) Ticket sales;

(iii) Donations or fundraisers;

(iv) Local funds in excess of the uniform rate of ad valorem property tax under Arkansas Constitution, Amendment 74; or

(v) Other sources of funding. For other sources of funding, the report shall identify the source;

(2) Provide the state board with a report of the school district's total athletic expenditures in a format approved by the state board or the Department of Education for the previous school year and post the report on the school district's website;

(3) Provide the state board with a budget for the athletic expenditures as set forth under subdivision (a)(1)(B) of this section for the upcoming year and post the report on the school district's website; and

(4) Provide the state board and the department with any additional information or documentation requested.

(b)(1) Any school district failing to comply with the provisions of this subchapter and the rules adopted by the state board for the implementation of this subchapter shall be identified by the department to be a school in fiscal distress in accordance with the Arkansas Fiscal Assessment and Accountability Program, § 6-20-1901 et seq.

(2) Any report required by this subchapter shall be subject to a yearly audit which shall be filed as set forth under §§ 6-20-1801 – 6-20-1804.

6-20-2004. Regulations – Nondiscriminatory application.

(a) By May 1, 2004, the State Board of Education shall promulgate any rules necessary for the implementation of this subchapter.

(b) The rules shall include a procedure to be developed by the Department of Education to ensure uniform reporting of athletic expenditures.

The Amendment was read \_\_\_\_\_

By: Representative Pickett  
KAC/TAT - 01-07-2004 09:14  
TAT239

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Chief Clerk