REQUEST FOR SPECIAL LANGUAGE
IN APPROPRIATION ACT

TABLE OF CONTENTS

WEEK 4

Page #

Department of Public Safety
- Shared Services 1
- Shared Services 2
- Law Enforcement Officer Salary Grid 3

DPS - State Crime Laboratory
- Recruitment Expenses 4

DPS - Division of Arkansas State Police
- Asp 5
- Asp 6

Department of Education
- Establishment Of A "Position Pool" 7
- Shared Services 10

ADE - Elementary & Secondary Education
- Carry Forward 11
- School Safety Set-Aside 13
- Out-Of-School Time Program Grants Requirements 15

ADE - Public School Fund
- Fund Allocation 17
- Grants To School Districts 18
- Special Education Services 20
- Transfer Authority 21
- Arkansas Educational Television Network Documented Quiz Bowl Costs 23
- Retirement Matching 24
- Arkansas Better Chance Program Administrative Fees 25

REQUEST FOR SPECIAL LANGUAGE
IN APPROPRIATION ACT

TABLE OF CONTENTS

WEEK 4

Page #

ADE - Public School Fund

Carry Forward - Arkansas Better Chance For School Success Program 27
Arkansas/Strive Program Transfer 29
Arkansas Governor'S School Funding 30
East Funding Provision 31
Intervention Block Grants Funding Restriction 32
Professional Development 34
Esa Matching Grant Program 36
R.I.S.E. 38
Enhanced Student Achievement Funding Name Change 39
Arkansas Governor's School Curriculum 40
High Quality Instructional Materials 41
Public School Fund And Educational Adequacy Fund Distribution And Fund Balance Report 42

ADE - Public School Academic Facilities & Transportation

Transfer Authority - Open-Enrollment Public Charter School Facilities Funding Aid Program 44
Transfer Authority 45

ADE - Career & Technical Education

Federal Matching 47

ADE - Division of Higher Education

Dhe - Reallocation Of Resources For Institutions Of Higher Education 48
Dhe - Building Maintenance Fund 51
Dhe - Transfer Provision 52
Dhe - Transfer Of Higher Education Grants Fund Appropriations - Health Education Grants And Loans 53
Dhe - Contingency Appropriations - Transfers And Reports 54

REQUEST FOR SPECIAL LANGUAGE
IN APPROPRIATION ACT

TABLE OF CONTENTS

WEEK 4

Page #

ADE - Division of Higher Education
- Dhe Workforce Initiative Act Funding 56
- Dhe - Statewide Promotion 57
- Governor's Higher Education Transition Scholarship Program 58

ADE - Arkansas School for the Deaf & Blind
- Arkansas School For The Deaf And Blind - Transfer Provision 59
- Ade - Asdb - Summer School Employees 60
- Carry Forward Of Funds - Asdb 61
- Arkansas School For The Deaf And Blind - Transfer Provision 63

ADE - Arkansas State Library
- Carry Forward 64
- State Funding For Libraries Provisions 66

Educational Television Commission, Arkansas
- Extra Help - State Operations 68
- Extra Help - Cash Operations 69

Department of Human Services
- Accounts 96
- Positions 97
- Transfer Restrictions 98
- Transfers Of Appropriations 99
- Compliance With Other Laws 101
- Legislative Intent 102

DHS - Aging, Adult & Behavioral Heath
- Behavioral Health Services 78

REQUEST FOR SPECIAL LANGUAGE
IN APPROPRIATION ACT

TABLE OF CONTENTS

WEEK 4

Page #

DHS - Aging, Adult & Behavioral Heath

Arkansas Health Center 79
Employment Work Days 81
Carry Forward - Crisis Services 82
Aging And Adult Services - Matching Funds 84
Aging And Adult Services - Nursing Home Care Alternatives 85
Senior Citizen Centers 86
Carry Forward Of Unobligated General Revenue Funds For Senior Citizen Centers 87

DHS - County Operations Division

Transfer Of Tanf Block Grant Funds 90
Restrictions On Financial Assistance Under The Temporary Assistance For Needy Families Program 91

DHS - Developmental Disabilities Services Division

Developmental Disabilities - Grants To Community Based Providers 93
Elimination Of Autism Waiver Services Waiting List 95

DHS - Medical Services Division

Accounts 96
Positions 97
Transfer Restrictions 98
Transfers Of Appropriations 99
Compliance With Other Laws 101
Legislative Intent 102
Medical Services - General Medicaid Rate Methodology Provisions 103
Fund Usage Authorized 106
Arkansas Health And Opportunity For Me And Arkansas Health Insurance Marketplace Restrictions 107

REQUEST FOR SPECIAL LANGUAGE
IN APPROPRIATION ACT

TABLE OF CONTENTS

WEEK 4

Page #

DHS - Medical Services Division

Medical Services - Community And Employment Supports Medicaid Waiver 111

Arkansas Medicaid Program Trust Fund Distribution And Balance Report 112

DHS - Secretary's Office

Secretary's Office Of The Department Of Human Services And Office Of Chief Counsel - Purchase Of Evidence 114

Human Services Renovation Fund 115

Transfer Authority 118

Arkansas State Hospital - Insurance Reimbursements And Unspent Set-Aside Funds For Repairs Recoupment 124

Department Of Human Services Comprehensive Agency Review 126

DHS - Youth Services Division

Transfer Of Funds For The Juvenile Ombudsman Program 128

Transfer Of Funds For Local Juvenile Detention Facilities 129

Residential Services Contingency 130

Extra Help Salaries - Contingent Residential Services Positions 131

2027 - 2029 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

9913 Department of Public Safety **ACT#: 118** **SECTION#: 59**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
SHARED SERVICES. (a)(1) The Chief Fiscal Officer of the State may create a Shared Services paying account on his or her books and on the books of the Treasurer of State and the Auditor of State for the payment of personal services and operating expenses in the Shared Services Paying Account appropriation by the Department of Public Safety. (2) The Chief Fiscal Officer of the State shall direct the transfer of funds and appropriations to the Shared Services Paying Account appropriation section of this act on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State. (b) The transfer authority provided to the department in subdivision (a)(2) of this section may be used to make transfers only within the department's appropriation act or between other appropriation acts authorized for the department. (c) The provisions of this section shall be in effect from the date of passage through June 30, ~~2027~~ 2028.	AGENCY REQUEST

2027 - 2029 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

9913 Department of Public Safety **ACT#: 118** **SECTION#: 60**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
SHARED SERVICES. FACILITY MAINTENANCE.(a) All revenues collected by any division within the Department of Public Safety for use of a facility owned or operated by the department at Camp Robinson shall: (1) Be deposited into a fund; (2) Be uniquely identified; and (3) Only be used for the maintenance of facilities owned or operated by the department at Camp Robinson. (b) The department shall work with the Chief Fiscal Officer of the State to determine the best method of recording the revenues referred to in subsection (a) of this section in the funds of the state. (c) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

2027 - 2029 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

9913 Department of Public Safety **ACT#: 118** **SECTION#: 61**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
LAW ENFORCEMENT OFFICER SALARY GRID. (a)(1) If the Chief Fiscal Officer of the State determines that additional moneys from the General Revenue Fund Account are available to the Department of Public Safety, the Division of Arkansas State Police shall implement a salary administration grid after review by the Legislative Council or the Joint Budget Committee. (2) All employees of the department who are certified law enforcement officers, including recruits, are eligible for any increase provided for in the salary administration grid under subdivision (a)(1) of this section. (3) Any increase in salary under the salary administration grid under subdivision (a)(1) of this section is in addition to any performance-based increase in salary. (b) A salary established under this section may exceed the maximum pay level for the grade assigned to the classification by no more than twenty percent (20%) for an affected employee. (c) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

2027 - 2029 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0955 DPS - State Crime Laboratory **ACT#: 118** **SECTION#: 62**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
RECRUITMENT EXPENSES. (a)(1) The State Crime Laboratory may pay for the expenses incurred during the recruitment of a medical examiner employee. (2) During the interview phase of recruitment under subdivision (a)(1) of this section, the State Crime Laboratory is authorized to pay for airfare, hotel, and meal expenses incurred by the recruit. (b) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

2027 - 2029 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0960 DPS - Division of Arkansas State Police **ACT#: 118** **SECTION#: 57**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
ASP. PROMOTIONAL ITEMS. (a) After receiving authorization from the Secretary of the Department of Public Safety, the Division of Arkansas State Police may purchase promotional items in an amount not to exceed two thousand five hundred dollars ($2,500) using moneys from the Maintenance & General Operations classification in the Operations appropriation provided by this act to meet the requirements of the Arkansas State Police Strategic Recruitment Plan. (b) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

2027 - 2029 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0960 DPS - Division of Arkansas State Police **ACT#: 118** **SECTION#: 58**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
ASP. MOTOR VEHICLE PURCHASE. (a)(1) The Division of Arkansas State Police may purchase motor vehicles from the appropriations authorized for Capital Outlay in the State Police Operations appropriation or the Confiscated Funds Transfer appropriation in this act, or both. (2) Motor vehicles donated to the division and confiscated motor vehicles used for the division's operations shall not be included in the maximum number of authorized passenger vehicles. (b) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
ESTABLISHMENT OF A "POSITION POOL". (a)(1) To address the needs emerging from statewide education issues and the necessity of recruiting and retaining qualified personnel, the Department of Education is authorized for the ~~2026-2027~~ 2027-2028 fiscal year a pool of no more than five (5) Information Systems and Technology positions at a salary not to exceed the maximum salary for a grade IST12. (2) The positions under subdivision (a)(1) of this section are to be used by the department if the personal-services needs of the department during the ~~2026-2027~~ 2027-2028 fiscal year require additional positions, either by title or in number, that are not authorized by the General Assembly in the Regular Salaries section of this act. (3) The positions under subdivision (b)(1) of this section may also be used to properly classify positions when the department does not have a vacant position available with the appropriate title and salary level. (b) (1) To address needs emerging from statewide education issues and the necessity of recruiting and retaining qualified personnel, the department is authorized for the ~~2026-2027~~ 2027-2028 fiscal year a pool of ten (10) State Government Services positions at up to a grade SGS12. (2)The positions under subdivision (a)(1) of this section are to be used by the department if the personal-services needs of the department during the ~~2026-2027~~ 2027-2028 fiscal year require additional positions, either by classification or in number, that are not authorized by the General Assembly in the Regular Salaries section of this act. (3) The positions under subdivision (a)(1) of this section may also be used to properly classify positions when the department does not have a	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
vacant position available with the appropriate title and grade level. (c) A salary determination or adjustment administered under subsections (a) and (b) of this section shall be made by comparing the qualifications and salary levels of similar employees in school districts or in other state education agencies. (d)(1) The department may access the pool positions authorized in this section at any time when it is determined by the Secretary of the Department of Education that the need exists. (2) The secretary shall provide a monthly report of the justification for the need to allocate titles from this growth pool to the Chief Fiscal Officer of the State and to the Legislative Council or the Joint Budget Committee for review. (3) The monthly report under subdivision (d)(2) of this section shall also include an accounting of the names, titles, and salaries of personnel whose salaries have been adjusted under subsections (a) and (b) of this section. (e) If the department requests a continuation of a "Position Pool" position established under this section during the next fiscal year, the department shall request the position as a new position in the department's budget request. (f) Determining the number of personnel to be employed by the department is the prerogative of the General Assembly and is usually accomplished by delineating the maximum number of personnel by identifying job titles and the maximum grade or salary attached to the job titles.	

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
(g)(1)(A) The General Assembly has determined that the department could be operated more efficiently if some flexibility is given to the department, and that flexibility is being accomplished by providing a position pool in subsections (a) and (b) of this section. (B) Since the General Assembly has granted the department broad powers under the growth pool concept, it is both necessary and appropriate that the General Assembly maintain oversight of the utilization of the position pool by requiring review of the Legislative Council or the Joint Budget Committee in the utilization of the position pool. (2)(A) Therefore, the requirement of review by the Legislative Council or the Joint Budget Committee is not a severable part of this section. (B) If the requirement of review by the Legislative Council or the Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this section is void. (h) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	

2027 - 2029 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

9904 Department of Education **ACT#: 156** **SECTION#: 29**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
SHARED SERVICES. (a)(1) The Chief Fiscal Officer of the State may create a Shared Services Paying Account on his or her books and on the books of the Treasurer of State and the Auditor of State for the payment of personal services and operating expenses in the Shared Services Paying Account appropriation by the Department of Education. (2) The Chief Fiscal Officer of the State shall direct the transfer of funds and appropriations to the Shared Services Paying Account appropriation section of this act on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State. (b) The transfer authority provided to the department in subdivision (a)(2) of this section may be used to make transfers only within the department's appropriation act or between other appropriation acts authorized for the department. (c) The provisions of this section shall be in effect from the date of passage through June 30, ~~2027~~ 2028.	AGENCY REQUEST

2027 - 2029 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0500 ADE - Elementary & Secondary Education **ACT#: 156** **SECTION#: 26**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
CARRY FORWARD. (a) Notwithstanding any law pertaining to the transfer of year-end fund balances or any other law to the contrary, any funds that remain in the Division of Elementary and Secondary Education Fund Account at the end of a fiscal year shall: (1) Remain in the account; (2) Be available to fund an appropriation authorized by law; and (3) Be payable from the account for the following fiscal year. (b)Any carry forward of unexpended balance of funding as authorized in this section, may be carried forward under the following conditions: (1) Before June 30, ~~2027~~ 2028 the Department of Education by written statement shall set forth its reason for the need to carry forward the funding to the Office of Budget of the Department of Finance and Administration; (2)(A) The office shall report to the Legislative Council or the Joint Budget Committee all amounts carried forward by the September Legislative Council or Joint Budget Committee meeting. (B) The report under subdivision (b)(2)(A) of this section shall include: (i) The name of the Department of Education and the amount of the funding carried forward; (ii) The program name or appropriation line item; (iii) The funding source of the appropriation; and (iv) A copy of the written statement under subdivision (b)(1) of this section; (3) The Department of Education shall provide a written report to the	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
Legislative Council or the Joint Budget Committee containing all information set forth in subdivision (b)(2) of this section, along with a written statement as to the current status of the project, contract, purpose, or similar item for which the carry forward was originally requested no later than thirty (30) days before the time the Department of Education presents its budget request to the Legislative Council or the Joint Budget Committee; and (4) Upon the completion of the of the conditions in subdivisions (b)(1)-(3) of this section, the Department of Finance and Administration shall include all information obtained under subdivision (b)(3) of this section in the budget manuals and provide any a statement of noncompliance by the Department of Education. (c)The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
SCHOOL SAFETY SET-ASIDE. (a)(1) The Department of Education shall not begin the process of promulgating rules for the distribution of funds in the School Safety Set-Aside or Contingency Vote 3/5 Set-Aside until authorized by the Legislative Council or the Joint Budget Committee. (2) The department shall not disburse any funds in the School Safety Set-Aside or Contingency Vote 3/5 Set-Aside until the rules have been approved by the Legislative Council or the Joint Budget Committee. (b)(1) After receiving prior approval of the greater three-fifths (3/5) of a quorum present of a majority of the membership of the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee, the Chief Fiscal Officer of the State may transfer funds on his or her books and on the books of the Treasurer of State and the Auditor of State from the Restricted Reserve Fund School Safety Set-Aside or Contingency Vote 3/5 Set-Aside. (2) The department may distribute the funds for the School Safety Grant program under subsection (b) of this section or for the distribution of funds from the set-aside for unanticipated state needs. (c)(1) The General Assembly finds: (A) Determining the maximum amount of appropriation and funding for the department each fiscal year is the prerogative of the General Assembly; (B) Determining the maximum amount of appropriation and funding for the department is usually accomplished by delineating the maximum amount in the appropriation act for the department and in the general revenue allocations authorized for each relevant fund and fund account by	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
amendment to the Revenue Stabilization Law, § 19-20-101 et seq.; and (C) The Restricted Reserve Fund has established procedures for the transfer of funds to various funds and fund accounts for the efficient and effective operation of state government. (2)(A) It is necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee, as provided in § 19-27-317(c). (B) The requirement of approval by the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee, is not a severable part of § 19-27-317. (C) If the requirement of approval by the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee, is ruled unconstitutional by a court of competent jurisdiction, § 19-27-317(c)-(e) are void. (d) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	

0500 ADE - Elementary & Secondary Education **ACT#: 156** **SECTION#: 30**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
OUT-OF-SCHOOL TIME PROGRAM GRANTS REQUIREMENTS. (a) Of the amount appropriated to the Department of Education - Division of Elementary and Secondary Education for Out-Of-School Time Program Grants in this act, funding shall only be made available to eligible entities for comprehensive out-of-school time programs for school aged children. (b) Eligible programs shall be limited to applicants meeting the following criteria: (1) Provide out-of-school time programs during the school year to school aged children; (2) Provide regular activities designed for evidence-based academic enhancement that aligns and supports state curriculum standards and will include a minimum of two of the following five activity areas: (A) STEM (Science, Technology, Engineering and Math); (B) Academic support; (C) Goal setting/leadership; (D) Career exposure/Workforce Readiness; and (E) Community service. (3) Provide activities above as a part of a comprehensive out-of-school program; (4) Operate for a minimum of 12 hours weekly during the school year; minimum of four days per week during the calendar school year; not including school breaks such as holiday or seasonal; (5) Collect data on participants' demographics, attendance and program participation and compile statewide aggregated data; (6) Implement rigorous safety standards including employee background	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
checks, compliance with mandated reporting laws; and (7) Must be a qualified 501(c)(3) or 501(c)(4) organization that has been in operation for more than 5 years and has a record of fiscal accountability. Organizations must also provide a sustainability model with a minimum of 50% of funding derived from non-state resources. (c) The Department of Education - Division of Elementary and Secondary Education shall promulgate rules for the determination of eligibility and administration of the Out-Of-School Time Program Grants. (d) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	

0500 ADE - Public School Fund **ACT#: 157** **SECTION#: 7**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
FUND ALLOCATION. (a)(1) The appropriation for the Isolated Funding line item in the Grants and Aid to Local School Districts and Special Programs section of this act may be fully funded. (2) Any funding and appropriation for Isolated Funding that is not utilized shall be transferred to the appropriation for Special Needs Isolated Funding in the Grants and Aid to Local School Districts and Special Programs section of this act. (3)(A) The transfer under subdivision (a)(2) of this section shall be used for fully funding Arkansas Code § 6-20-604 (c)-(f) on a pro rata basis until the available funds are exhausted. (B) As used in subdivision (a)(3)(A) of this section, "pro rata basis" means providing each district qualifying for additional funding under Arkansas Code § 6-20-604 (c)-(f) a proportionate share based on how each district's additional funding amount compares to the total additional funding amount for all qualifying districts. (4) If any funding and appropriation remains after funding Arkansas Code § 6-20-604 (c)-(f), the remaining balance shall be used to fund the funds listed in Arkansas Code § 6-20-604(h) on an equal basis until the available funds are exhausted. (b) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

2027 - 2029 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0500 ADE - Public School Fund **ACT#: 157** **SECTION#: 8**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
GRANTS TO SCHOOL DISTRICTS. (a) For the purposes of distributing the Grants To School Districts appropriation in the Grants and Aid to Local School Districts and Special Programs section of this act, "school district" means a school district that contracts with a school district in an adjoining state for the education of some of the students within the Arkansas school district because: (1) The portion of the school district where students live is completely separated from the remainder of the school district by a reservoir covering at least twelve thousand (12,000) acres at normal water level; and (2) To attend school in their own district, the students of the portion described in subdivision (a)(1) of this section would be required to travel or to be transported a round-trip distance (measured by the nearest highway or road route) of more than thirty-five miles (35 mi.) and pass through another school district or districts. (b)(1) The Department of Education shall distribute the moneys appropriated for Grants to School Districts in the Grants and Aid to Local School Districts and Special Programs section of this act to the school district as a reimbursement for expenses incurred in educating the students residing in the separated portion of the school district described in subsection (a) of this section. (2) The payment shall be limited to the amount of the available appropriation. (3) The school district shall file a request for reimbursement with the department and provide the department with such documentation as the department deems necessary.	AGENCY REQUEST

2027 - 2029 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0500 ADE - Public School Fund **ACT#: 157** **SECTION#: 8**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
(c) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	

2027 - 2029 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0500 ADE - Public School Fund **ACT#: 157** **SECTION#: 9**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
SPECIAL EDUCATION SERVICES. (a) The funds appropriated in the line item "Special Education Services" in the Grants and Aid to Local School Districts and Special Programs section of this act shall be used to provide: (1) Extended year summer programs for students with disabilities in need of the services; (2) Special education services to foster children who are wards of the state; and (3) Funds for the payment of salaries of special education supervisors. (b) The Department of Education shall distribute the funds under subsection (a) of this section in the manner necessary to carry out the intent of this section. (c) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

0500 ADE - Public School Fund **ACT#: 157** **SECTION#: 10**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
TRANSFER AUTHORITY. (a)(1) The Secretary of the Department of Education, with the approval of the Chief Fiscal Officer of the State and after approval by the Legislative Council or the Joint Budget Committee, may request necessary appropriation transfer and any other budget-related adjustment that is necessary necessary within the Department of Education. (2) The department shall be limited to submitting no more than two (2) transfer requests under this subsection during any fiscal year. (b)(1)(A) Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. (B) The determination under subdivision (b)(1)(A) of this section is usually accomplished by delineating the maximum number of employees and the maximum amount of appropriation and general revenue funding in the appropriation act for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization Law, § 19-20-11 et seq. (C) Further, the General Assembly has determined that the department may operate more efficiently if some flexibility is provided to the secretary authorizing broad powers under the transfer authority under subsection (a) of this section. (2)(A) Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. (B) The requirement of approval by the Legislative Council or the Joint Budget Committee is not a severable part of this section.	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
(C) If the requirement of approval by the Legislative Council or the Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this section is void. (c) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	

2027 - 2029 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0500 ADE - Public School Fund **ACT#: 157** **SECTION#: 11**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
ARKANSAS EDUCATIONAL TELEVISION NETWORK DOCUMENTED QUIZ BOWL COSTS. (a) Of the total amount of appropriation and funds authorized in this act to the Department of Education for the Quiz Bowl each fiscal year, an amount not to exceed forty thousand dollars ($40,000) each fiscal year may be made available to the Department of Education - Educational Television Division for its documented costs associated with the Quiz Bowl. (b) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

0500 ADE - Public School Fund **ACT#: 157** **SECTION#: 12**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
RETIREMENT MATCHING. (a)(1) Beginning with the 1996-97 school year, a local school district shall pay the teacher retirement employer contribution rate for an eligible employee in accordance with the rules established by the Board of Trustees of the Arkansas Teacher Retirement System. (2) The appropriation in this act for Teacher Retirement Matching each fiscal year shall be used to provide the employer matching for employees of the education service cooperatives, vocational centers, ~~Easter Seals Arkansas,~~ and Arkansas Correctional School District. (b) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
ARKANSAS BETTER CHANCE PROGRAM ADMINISTRATIVE FEES. (a)(1) The Department of Education may expend a maximum of two percent (2%) of available funds for the administration of the Arkansas Better Chance Program. (2) Up to one and eight-tenths percent (1.8%) of available funds shall be used to: (A) Administer the program; and (B) Monitor program grantees to ensure compliance with programmatic standards. (3) Before the utilization of the remaining two-tenths percent (0.2%) of available funds, the department shall seek prior review and approval of the Legislative Council or the Joint Budget Committee by providing a written request to include: (A) The department's reason for the use of the funds; and (B) The amount of funds that will be expended. (4) The department may contract with the Division of Elementary and Secondary Education to administer the program. (b)(1)(A) Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. (B) The determination under subdivision (b)(1)(A) of this section is usually accomplished by delineating the maximum number of employees and the maximum amount of appropriation and general revenue funding in the appropriation act for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
Stabilization Law, § 19-20-101 et seq. (2)(A) Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or the Joint Budget Committee as provided by this section. (B) The requirement of approval by the Legislative Council or the Joint Budget Committee is not a severable part of this section. (C) If the requirement of approval by the Legislative Council or the Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this section is void. (c) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
CARRY FORWARD - ARKANSAS BETTER CHANCE FOR SCHOOL SUCCESS PROGRAM. (a) Any unexpended balance of moneys allocated for the Arkansas Better Chance for School Success Program remaining on June 30, ~~2027~~ 2028, in the Division of Elementary and Secondary Education Public School Fund Account shall be designated and retained for the program. (b) Any carry forward of unexpended balance of funding as authorized in subsection (a) of this section, may be carried forward under the following conditions: (1) Before June 30, ~~2027~~ 2028, the Department of Education by written statement shall set forth its reason for the need to carry forward the funding to the Office of Budget of the Department of Finance and Administration; (2)(A) The office shall report to the Legislative Council or the Joint Budget Committee all amounts carried forward by the September Legislative Council or the Joint Budget Committee meeting. (B) The report shall include: (i) The name of the Department of Education and the amount of the funding carried forward; (ii) The program name or appropriation line item; (iii) The funding source of the appropriation; and (iv) A copy of the written statement under subdivision (b)(1) of this section; (3) The Department of Education shall provide a written report to the Legislative Council or the Joint Budget Committee containing all information set forth subdivision (b)(2) of this section, along with a written statement	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
as to the current status of the project, contract, purpose, or similar item for which the carry forward was originally requested no later than thirty (30) days before the time the Department of Education presents its budget request to the Legislative Council or the Joint Budget Committee; and	
(4) Upon completion of the conditions in subdivision (b)(1)-(3) of this section, the Department of Finance and Administration shall include all information obtained under subdivision (b)(3) of this section in the budget manuals and provide any statement of noncompliance by the Department of Education.	
(c) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	

2027 - 2029 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0500 ADE - Public School Fund **ACT#: 157** **SECTION#: 15**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
ARKANSAS/STRIVE PROGRAM TRANSFER. (a)(1) The Chief Fiscal Officer of the State shall transfer on his or her books and on the books of the Treasurer of State and the Auditor of State, the sum of two hundred thousand dollars ($200,000) during each fiscal year from the Division of Elementary and Secondary Education Public School Fund Account to the University of Arkansas at Little Rock Fund. (2) The transfer under subdivision (a)(1) of this section is to provide funding for the Arkansas/STRIVE Program. (3) The total amount of funds transferred each fiscal year under this section shall not be subject to any indirect costs by the University of Arkansas at Little Rock. (b) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

2027 - 2029 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0500 ADE - Public School Fund **ACT#: 157** **SECTION#: 16**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
ARKANSAS GOVERNOR'S SCHOOL FUNDING. (a)(1) The Department of Education shall allocate, budget, and commit for expenditure two hundred fifty thousand dollars ($250,000), in addition to any funds already being provided for the Arkansas Governor's School, to fund the appropriation authorized from general revenue for the Gifted & Talented program as appropriated in the Grants and Aid to Local School Districts and Special Programs section in this act. (2) With the additional funding under this section either the department shall increase the number of grants for Academic Enrichment for Gifted/Talented in Summer (AEGIS) Programs summer enrichment programs or the duration of the Arkansas Governor's School shall be extended from four (4) weeks to six (6) weeks. (b) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

2027 - 2029 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0500 ADE - Public School Fund **ACT#: 157** **SECTION#: 17**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
EAST FUNDING PROVISION. (a)(1) Of the total amount appropriated for Technology Grants each fiscal year, an amount of not less than three million five thousand dollars ($3,005,000) or eighteen percent (18%), whichever is greater each fiscal year, shall be awarded through a grant or professional services contract for the EAST initiative. (2) Not less than one million dollars ($1,000,000) of the three million five thousand dollars ($3,005,000) or eighteen percent (18%) of the Technology Grants line item awarded to the EAST initiative shall be used for EAST infrastructure and personnel growth for the establishment of new programs. (3) The remaining funding shall be used for existing EAST initiative infrastructure, personnel, and operating expenses of the EAST initiative. (4) The EAST initiative infrastructure grant or contract for personal services and operating expenses shall be awarded to an entity that has personnel or experience, or both, in implementing the EAST initiative. (b) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
INTERVENTION BLOCK GRANTS FUNDING RESTRICTION. (a) The Department of Education shall make available from the Intervention Block Grants appropriation authorized by this act: (1) One hundred thousand dollars ($100,000) each fiscal year for the annual expenses of the Quiz Bowl; (2) Thirteen thousand five hundred dollars ($13,500) each fiscal year for Creativity in Arkansas, Inc. for grants up to one thousand dollars ($1,000) each for students and chaperones; (3) Thirteen thousand five hundred dollars ($13,500) each fiscal year for Arkansas Destination Imagination; (4) One hundred thousand dollars ($100,000) each fiscal year for the State History Day Competition; and (5) Seventy-five thousand dollars ($75,000) each fiscal year for a grant to the Arkansas State Science Fair Association for grants to regional and the state science fairs. (b) The department shall allocate general revenue funding totaling no less than three hundred two thousand dollars ($302,000) each fiscal year from the Division of Elementary and Secondary Education Public School Fund Account to support the annual expenses of the: (1) Quiz Bowl; (2) Creativity in Arkansas, Inc. for grants up to one thousand dollars ($1,000) each for students and chaperones; (3) Arkansas Destination Imagination; (4) State History Day Competition; and (5) Arkansas State Science Fair Association for a grant to regional and	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
state science fairs. (c) The department shall either expend or have committed for expenditure the moneys allocated for the Quiz Bowl, Creativity in Arkansas, Inc., Arkansas Destination Imagination, State History Day Competition, and Arkansas State Science Fair Association grants as authorized by this section. (d) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
PROFESSIONAL DEVELOPMENT. (a) Of the total amount appropriated for Professional Development Funding, three million five hundred thousand dollars ($3,500,000) may be authorized by the Secretary of the Department of Education to be used by the Department of Education to develop and implement statewide professional development support systems for teachers that will benefit student achievement. (b)(1) The department shall annually report the following information concerning the Arkansas Online Professional Development Initiative under § 6-17-707: (A) Annual expenditure information; (B) Statistical information pertaining to users of the initiative; (C) Course offerings; (D) Course hours completed; and (E) Certificates awarded. (2) The report under subdivision (b)(1) of this section shall be annually submitted by August 1 to the: (A) Governor; (B) Legislative Council or, if the General Assembly is in session, the Joint Budget Committee; (C) Senate Committee on Education; (D) House Committee on Education; and (E) Department of Finance and Administration. (c) The provisions of this section shall be in effect only from July 1,	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
~~2026~~ 2027 through June 30, ~~2027~~ 2028.	

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
ESA MATCHING GRANT PROGRAM. (a)(1)(A) Of the appropriation and funding for the ESA Matching Grant Program line item in the Grants and Aid to Local School Districts and Special Programs section of this act, five million three hundred thousand dollars ($5,300,000) shall be set aside by the Department of Education. (B) The set-aside fund under subdivision (a)(1)(A) of this section shall be used for a school district's expenditures for evidence-based programs to improve academic achievement of identified national school lunch students. (2) The programs shall be limited to: (A) ~~A tutor as provided in § 6-20-2305(b)(4)(C)(i)(b)(4);~~ Academic supports and interventions set out in § 6-20-2305(b)(4)(C)(i)(a)(2); and (B) ~~A before-school academic program and an after-school academic program, including transportation to and from the programs under § 6-20-2305(b)(4)(C)(i)(b)(2); and~~ Early intervention resources set out in § 6-20-2305(b)(4)(C)(i)(a)(5). ~~(C) A prekindergarten program under § 6-20-2305(b)(4)(C)(i)(b)(3).~~ (b)(1) A set aside fund authorized in subsection (a) of this section shall be distributed to a school district on a dollar-for-dollar matching basis of school district expenditures for the programs under subsection (a) of this section on a pro rata basis until the available funds are exhausted.	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
(2) As used in this subsection, "pro rata basis" means providing each district qualifying for additional funding in a proportionate share based on how each district's expenditure compares to the total amount of funding provided in subsection (a) of this section for all qualifying districts as determined by the department. (c) If any funding remains after the funding of subsection (b) of this section, the remaining balance shall be carried over to the following fiscal year for the same purpose as provided for in this section. (d) The department shall adopt rules necessary to implement this section. (e) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	

2027 - 2029 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0500 ADE - Public School Fund **ACT#: 157** **SECTION#: 21**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
R.I.S.E. ARKANSAS. (a) The appropriation for the R.I.S.E. Arkansas line item in the Grants and Aid to Local School Districts and Special Programs section of this act shall be used for the coordination of a statewide reading campaign with community partners, parents, and teachers to establish the importance of reading in homes, schools, and communities. (b) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
ENHANCED STUDENT ACHIEVEMENT FUNDING NAME CHANGE. (a) Any appropriation titled "Enhanced Student Achievement Funding" or abbreviated as "ESA" as named by SB605 of 2019 may also be known as "National School Lunch" funding or abbreviated as "NSL" and shall be used for the same purpose as set out in law. (b) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

0500 ADE - Public School Fund **ACT#: 157** **SECTION#: 23**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
ARKANSAS GOVERNOR'S SCHOOL CURRICULUM. (a)(1) Before the beginning of the Arkansas Governor's School program each year, the Department of Education shall review and approve the proposed curriculum for the program year. (2) The department shall maintain oversight of the implementation of the proposed curriculum for consistency and accuracy. (b) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027, through June 30, ~~2027~~ 2028.	AGENCY REQUEST

2027 - 2029 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0500 ADE - Public School Fund **ACT#: 157** **SECTION#: 24**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
HIGH QUALITY INSTRUCTIONAL MATERIALS. (a) Of the amount appropriated from the Division of Elementary and Secondary Education Public School Fund Account for R.I.S.E. Arkansas, an amount of up to nine million five hundred thousand dollars ($9,500,000) may be used for the purchase and distribution of high quality instructional materials under Arkansas Code § 6-17-429(f). (b) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

0500 ADE - Public School Fund **ACT#: 157** **SECTION#: 25**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
DIVISION OF ELEMENTARY AND SECONDARY EDUCATION PUBLIC SCHOOL FUND AND EDUCATIONAL ADEQUACY FUND DISTRIBUTION AND FUND BALANCE REPORT. (a)(1) The Department of Education shall submit quarterly a Division of Elementary and Secondary Education Public School Fund distribution and balance report to the Legislative Council PEER subcommittee or, if meeting in a legislative session, the Joint Budget Committee PEER/Review subcommittee no later than ten days prior to the subcommittees' scheduled meeting date. (2) The report under subdivision (a)(1) of this section shall summarize the current total fund balance and the past five fiscal year ending total fund balances of the Division of Elementary and Secondary Education Public School Fund Account. (3)(A) The report shall contain, cumulatively over the course of the fiscal year, by quarter a summary of the itemized totals distributed from each subfund of the Division of Elementary and Secondary Education Public School Fund Account. (B) Each subfund shall be organized as restricted or unrestricted in a spending purpose. (b)(1) The department shall submit monthly an Educational Adequacy Fund distribution and balance report to the Legislative Council PEER subcommittee or, if meeting in a Legislative Session, the Joint Budget Committee PEER/Review subcommittee no later than ten days before to the subcommittees' scheduled meeting date. (2) The report under subdivision (b)(1) of this section shall summarize the current total fund balance and the past five (5) fiscal year	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
ending total fund balances of the Educational Adequacy Fund. (3) The report shall contain the following: (A) Monthly beginning fund balance; (B) Monthly Distribution report with a list of total distributions to the Division of Elementary and Secondary Education Public School Fund Account and the Division of Elementary and Secondary Education Fund Account; and (C) Amount of certified funding obligation remaining to the Division of Elementary and Secondary Education Public School Fund Account and the Division of Elementary and Secondary Education Fund Account for the fiscal year. (c) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	

2027 - 2029 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0500 ADE - Public School Academic Facilities & Transportation **ACT#: 53** **SECTION#: 5**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
~~TRANSFER AUTHORITY - OPEN-ENROLLMENT PUBLIC CHARTER SCHOOL FACILITIES FUNDING AID PROGRAM. (a) The Department of Education - Division of Public School Academic Facilities and Transportation may transfer any funds that are made available for the Open-Enrollment Public Charter School Facilities Funding Aid Program, including funds from the Development and Enhancement Fund or its successor fund or fund accounts, to the Open-Enrollment Public Charter School Facilities Loan Fund.~~ ~~(b) The provisions of this section shall be in effect only from July 1, 2026 through June 30 2027.~~	AGENCY REQUEST

0500 ADE - Public School Academic Facilities & Transportation **ACT#: 53** **SECTION#: 6**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
TRANSFER AUTHORITY. (a) With the approval of the Chief Fiscal Officer of the State and after approval by the Legislative Council or the Joint Budget Committee, the Director of the Department of Education - Division of Public School Academic Facilities and Transportation may request necessary appropriation transfers and any other budget related adjustments necessary only for the appropriations authorized in this act. (b)(1) It is the intent of the General Assembly that the Division of Public School Academic Facilities and Transportation use any additional contractual services as necessary. (2) The transfers between line items and among appropriations are anticipated to accomplish the purpose under subdivision (b)(1) of this section. (3) The division shall be limited to submitting no more than two (2) transfer requests during any fiscal year. (c)(1)(A) Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. (B) The determination under subdivision (c)(1) of this section is usually accomplished by delineating the maximum number of employees and the maximum amount of appropriation and general revenue funding in the appropriation act for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization Law § 19-20-101 et seq. (C) Further, the General Assembly has determined that the division may operate more efficiently if some flexibility is provided to the director	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
authorizing broad powers under the transfer authority in this section. (2)(A) Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or the Joint Budget Committee as provided by this section. (B) The requirement of approval by the Legislative Council or the Joint Budget Committee is not a severable part of this section. (C) If the requirement of approval by the Legislative Council or the Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this section is void. (d) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	

2027 - 2029 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0590 ADE - Career & Technical Education **ACT#: 101** **SECTION#: 11**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
FEDERAL MATCHING. (a) The funds appropriated in sections of this act for Coordinated Career Education Services, Vocational Center Aid, and Vocational Start-up Grants and Aid may be used to match any available federal funds from an agency to provide the maximum amount of money for the purposes enumerated in the sections of this act appropriating funds for Coordinated Career Education Services, Vocational Center Aid, and Vocational Start-up Grants and Aid. (b) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

2027 - 2029 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 ADE - Division of Higher Education **ACT#: 138** **SECTION#: 30**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
DHE - REALLOCATION OF RESOURCES FOR INSTITUTIONS OF HIGHER EDUCATION. (a)(1)(A) Upon a determination by the president or the chancellor of an institution of higher education that a reallocation of resources for purposes of reorganization or consolidation of administrative functions within the institution of higher education is necessary for the efficient and effective operation of the institution of higher education, the president or the chancellor, with approval of the institution of higher education's board of trustees, may transfer positions, appropriations and related funds between campuses, divisions, branches, and other budgetary units of the institution of higher education. (B) The president or chancellor making the transfer under subdivision (a)(1)(A) of this section shall receive prior approval of the Legislative Council or the Joint Budget Committee. (2) The transfers of positions, programs, or activities under subdivision (a)(1) of this section shall be used for the purpose for which the appropriation was approved by the General Assembly. (3)(A) The transfers, consolidations, or reorganizations under subdivision (a)(1) of this section which involve academic programs shall be reviewed by the Division of Higher Education before submission to the Legislative Council or the Joint Budget Committee. (B) An institution of higher education shall be limited to: (i) A submission of no more than two (2) individual transaction transfer requests during any fiscal year; and (ii) A submission of no more than five percent (5%) of the total General Revenue and Special Revenue appropriation, funding, and positions specific	AGENCY REQUEST

0700 ADE - Division of Higher Education **ACT#: 138** **SECTION#: 30**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
to each institution of higher education. (4) The Tobacco Settlement funds or appropriations may not be reallocated under this section. (b)(1)(A) Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for institutions of higher education each fiscal year is the prerogative of the General Assembly. (B) The determination under subdivision (b)(1)(A) of this section is usually accomplished by delineating the maximum number of employees and the maximum amount of appropriation and general revenue funding in the appropriation act for institutions of higher education and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization Law § 19-20-101 et seq. (C) Further, the General Assembly has determined that institutions of higher education may operate more efficiently if some flexibility is provided to institutions of higher education authorizing broad powers under this section. (2)(A) Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or the Joint Budget Committee as provided by this section. (B) The requirement of approval by the Legislative Council or the Joint Budget Committee is not a severable part of this section. (C) If the requirement of approval by the Legislative Council or the Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this section is void.	

0700 ADE - Division of Higher Education **ACT#: 138** **SECTION#: 30**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
(c) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	

2027 - 2029 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 ADE - Division of Higher Education **ACT#: 138** **SECTION#: 31**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
DHE - BUILDING MAINTENANCE FUND. (a) After the sum of thirteen million two hundred thousand dollars ($13,200,000) has been deposited into the Higher Education Building Maintenance Fund, any additional deposits shall be transferred to the Research Development Fund to be used as provided by law. (b) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

2027 - 2029 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 ADE - Division of Higher Education **ACT#: 138** **SECTION#: 32**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
DHE - TRANSFER PROVISION. (a) Upon the certification by the Commissioner of the Division of Higher Education that transfers are needed to make the maximum utilization of funds and appropriations for financial aid programs, and with the approval of the Chief Fiscal Officer of the State and a review by the Legislative Council or the Joint Budget Committee, funds and appropriations may be transferred between financial aid programs to more adequately align the appropriation with the number of eligible students. (b) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

0700 ADE - Division of Higher Education **ACT#: 138** **SECTION#: 33**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
DHE - TRANSFER OF HIGHER EDUCATION GRANTS FUND APPROPRIATIONS - HEALTH EDUCATION GRANTS AND LOANS. (a)(1) Upon certification to and with the approval of the Chief Fiscal Officer of the State, any surplus funds and appropriations may be transferred between the line-item appropriations provided in the Health Education Grants and Loans appropriation section of this act. (2) The line-item appropriations include the Dental Aid Grants and Loans, Optometry Aid Grants and Loans, Veterinary Aid Forgiveness Program, Veterinary Med. Loan Forgiveness Program, Podiatry Aid, and Chiropractic Aid. (b) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

0700 ADE - Division of Higher Education **ACT#: 138** **SECTION#: 34**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
DHE - CONTINGENCY APPROPRIATIONS - TRANSFERS AND REPORTS. (a)(1) Upon approval by the Department of Education - Division of Higher Education and the Chief Fiscal Officer of the State, institutions of higher education may transfer appropriation from the cash contingency appropriation to any appropriation made to the institution of higher education from cash funds, including the establishment of commitment items. (2) An institution of higher education may transfer appropriation from the contingency appropriation, made payable from each institution of higher education's State Treasury fund, to the state operations appropriation made payable from each institution of higher education's State Treasury fund, including the establishment of commitment items. (3) An institution of higher education may transfer appropriation from the contingency appropriation, made payable from the Tobacco Settlement Program Fund accounts, to any other appropriation made to the institution of higher education from the Tobacco Settlement Program Fund accounts, including the establishment of commitment items. (b) Contingency appropriation transfers shall only establish and supplement the commitment items that were recommended by the Arkansas Higher Education Coordinating Board in the budget manuals presented to the Legislative Council and the Joint Budget Committee. (c)(1) The Department of Education - Division of Higher Education shall report contingency appropriation transfers and the establishment of any commitment items authorized by this section to the Legislative Council or the Joint Budget Committee for review during the Legislative Council's or	AGENCY REQUEST

0700 ADE - Division of Higher Education **ACT#: 138** **SECTION#: 34**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
Joint Budget Committee's July meeting. (2) The report under subdivision (c)(1) of this section shall include, by institution of higher education, the establishment of and the amounts transferred to each commitment item, the reasons for the establishment of the commitment items and the amounts transferred, and the source of funds. (3) An institution of higher education shall submit contingency appropriation transfer and commitment item establishment requests authorized by this section to the division no later than July 1. (4) Upon the failure of an institution of higher education to submit the required information by the July 1 deadline, the division shall immediately notify by written notification the chairs of the Legislative Council or the Joint Budget Committee. (d) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	

2027 - 2029 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 ADE - Division of Higher Education **ACT#: 138** **SECTION#: 35**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
DHE WORKFORCE INITIATIVE ACT FUNDING.(a)(1) The Chief Fiscal Officer of the State may transfer, on his or her books and on the books of the Treasurer of State and the Auditor of the State, any funding up to the amount authorized in the Workforce Initiative Act of 2015 appropriation section in this act from the Division of Higher Education Fund Account to the Workforce Initiative Act of 2015 Fund. (2) A transfer under subdivision (a)(1) of this section shall finance the distribution of grants identified under § 6-60-107. (b) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

0700 ADE - Division of Higher Education **ACT#: 138** **SECTION#: 36**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
DHE - STATEWIDE PROMOTION. (a)(1) Of the general revenue that is received by and distributed from the Higher Education Grants Fund Account, the Chief Fiscal Officer of the State shall transfer two hundred ninety-five thousand dollars ($295,000) to the Division of Higher Education Fund Account. (2) The transfer under subdivision (a)(1) of this section shall be allocated, budgeted, committed and distributed to the Statewide Promotion line item in the General Operations section of this act. (3) The purpose of the transfer under subdivision (a)(1) of this section is to increase public awareness of the scholarships and grant programs and initiatives offered by the State through the Department of Education - Division of Higher Education. (4) The Department of Education shall utilize a minimum of one hundred forty-seven thousand five hundred dollars ($147,500) of the total transfer under (a)(1) of this section specifically for the promotion of the Arkansas Future Grant Program. (b) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

2027 - 2029 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 ADE - Division of Higher Education **ACT#: 138** **SECTION#: 37**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
~~GOVERNOR'S HIGHER EDUCATION TRANSITION SCHOLARSHIP PROGRAM. (a) (1) The Department of Education - Division of Higher Education shall provide for the administration of the Governor's Higher Education Transition Scholarship Program appropriation in the Student Assistance Grants and Various Scholarships appropriation section of this act.~~ ~~(2) The program shall assist a student who is accepted into a transitional program for students with intellectual disabilities, developmental disabilities, or both, at a state institution of higher education.~~ ~~(3) The division shall promulgate rules for the implementation of the program and for the disbursement of a scholarship to an eligible student.~~ ~~(b) The provisions of this section shall be in effect only from July 1, 2026 2027 through June 30, 2027 2028.~~ ADHE requests deletion of this language as the program has been codified.	AGENCY REQUEST

2027 - 2029 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0515 ADE - Arkansas School for the Deaf & Blind **ACT#: 26** **SECTION#: 8**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
ARKANSAS SCHOOL FOR THE DEAF AND BLIND - TRANSFER PROVISION. (a) (1) Upon approval from the Chief Fiscal Officer of the State, the Arkansas School for the Deaf and Blind shall transfer appropriation from the Summer Projects line item, in the State Operations Appropriation of this act, to the Regular Salaries, Extra Help, Personal Services Matching, Overtime and Maintenance & General Operations line items in the State Operations Appropriation of this act, to compensate the staff who work during the summer months on summer projects, and to cover other expenses of summer project activities. (2) The Summer Projects line item may also be used for the annual cost related to the compensation of eligible staff for shift differential pay and for the compensation of employees for the performance of duties assigned as referenced in § 6-43-116. (3) Additional compensation under this section shall not be construed as exceeding the maximum salary authorized for the employees. (b) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

2027 - 2029 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0515 ADE - Arkansas School for the Deaf & Blind **ACT#: 26** **SECTION#: 9**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
ADE - ASDB - SUMMER SCHOOL EMPLOYEES. (a)(1) Exempt employees who require job responsibilities less than two thousand eighty (2080) hours may work during summer months with approval from the Superintendent of the Arkansas School for the Deaf and Blind. (2) The employees under subdivision (a)(1) of this section are authorized additional compensation in an amount not to exceed one twelfth (1/12) of their annual salary for each month or a part of each month worked. (3) The additional compensation under subdivision (a)(2) of this section shall not be construed as exceeding the maximum salary authorized for the employees under subdivision (a)(1) of this section. (b) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

0515 ADE - Arkansas School for the Deaf & Blind **ACT#: 26** **SECTION#: 10**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
CARRY FORWARD OF FUNDS - ASDB. (a) The Chief Fiscal Officer of the State shall transfer on his or her books and those of the Treasurer of State and Auditor of State the balance of General Revenue funds remaining in the Arkansas School for the Deaf and Blind Fund Account on June 30, ~~2026~~ 2027 into a sub-fund created within the Arkansas School for the Deaf and Blind Fund Account to be used for special maintenance, renovations, or future construction projects of the Arkansas School for the Deaf and Blind. (b) Any carry forward of the unexpended balance of funding as authorized in this section, may be carried forward under the following conditions: (1)(A) The Office of Budget shall report to the Legislative Council or the Joint Budget Committee all amounts carried forward by the September Legislative Council or Joint Budget Committee meeting. (B) The report under subdivision (b)(1)(A) of this section shall include: (i) The name of the Arkansas School for the Deaf and Blind and the amount of funding carried forward from the first fiscal year to the second fiscal yaer; (ii) The program name or appropriation line item; and (ii) The funding source; (2) The Arkansas School for the Deaf and Blind shall provide a written report to the Legislative Council or the Joint Budget Committee containing all information set forth in subdivision (b)(1) of this section no later than thirty (30) days before the Department of Education presents its budget request to the Legislative Council or the Joint Budget Committee, or	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
both; and (3) The Department of Finance and Administration shall include all information obtained in subdivision (b)(2) of this section in the budget manuals. (c) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	

2027 - 2029 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0515 ADE - Arkansas School for the Deaf & Blind **ACT#: 26** **SECTION#: 11**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
ARKANSAS SCHOOL FOR THE DEAF AND BLIND - TRANSFER PROVISION. (a) (1) Upon approval from the Chief Fiscal Officer of the State, the Arkansas School for the Deaf and Blind shall transfer appropriation from the Miscellaneous Activities line item in the State Operations Appropriation of this act, to the Regular Salaries, Extra Help, Personal Service Matching, Overtime, and Maintenance and General Operations line items also in the State Operations Appropriation of this act, to compensate the staff who work during the summer months on summer projects and to cover other expenses of summer project activities. (2) The Miscellaneous Activities line item may also be used for the annual cost related to the payment of contracted interpreter services, the compensation of eligible staff for shift differential pay, and the compensation of employees for the performance of duties assigned as referenced in § 6-43-116. (3) Additional compensation under this section shall not be construed as exceeding the maximum salary authorized for said employees as described in this section. (b) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
CARRY FORWARD. (a) At the close of the fiscal year ending June 30, ~~2026~~ 2027, any unexpended balance of moneys provided from the State Library Fund Account for the Books and Subscriptions line item in the State Operations appropriation of this act shall be transferred forward and made available for the same purpose for the fiscal year ending June 30, ~~2027~~ 2028. (b) Any carry forward of unexpended balance of funding as authorized in this section may be carried forward under the following conditions: (1) Before June 30, ~~2027~~ 2028 the Arkansas State Library by written statement shall set forth its reason for the need to carry forward the funding to the Office of Budget of the Department of Finance and Administration; (2)(A) The office shall report to the Legislative Council or the Joint Budget Committee all amounts carried forward by the September Legislative Council or Joint Budget Committee meeting. (B) The report under subdivision (b)(2)(A) of this section shall include: (i) The name of the Arkansas State Library and the amount of the funding carried forward; (ii) The program name or appropriation line item; (iii) The funding source of the appropriation; and (iv) A copy of the written statement under subdivision (b)(1) of this section; (3) The Arkansas State Library shall provide a written report to the Legislative Council or the Joint Budget Committee containing all information	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
under subdivision (b)(2) of this section, along with a written statement as to the current status of the project, contract, purpose, or similar item for which the carry forward was originally requested no later than thirty (30) days before the time the Arkansas State Library presents its budget request to the Legislative Council or the Joint Budget Committee; and (4) Upon the completion of the conditions in subdivisions (b)(1)-(3) of this section, the Department of Finance and Administration shall include all information obtained under subdivision (b)(3) of this section in the budget manuals and provide any statement of noncompliance by the Arkansas State Library. (c) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
STATE FUNDING FOR LIBRARIES PROVISIONS. (a)(1) The Department of Education - Arkansas State Library provides grants and aid to libraries across the state. (2) The Arkansas State Library has developed the Standards for State Aid to Public Libraries that public libraries must meet to qualify for state aid. (b) The Standards for State Aid to Public Libraries contain the requirement that: (1) A public library shall maintain a one-mill county or city property tax; and (2) A public library has a qualified librarian. (c)(1) A less populated area in the state may not have the ability to pass and maintain a one-mill county or city property tax. (2) Because of the importance that the public library represents to rural communities, the Arkansas State Library shall review and modify the requirements that prevent rural public libraries from receiving state grant and aid that is authorized by the General Assembly, as set out in subdivision (c)(3) of this section. (3) The Arkansas State Library shall promulgate rules that allow a public library to adequately demonstrate a source of revenue in lieu of the requirement to maintain a one-mill county or city property tax. (d)(1) One (1) month before the distribution of state aid to public libraries for the ~~2027~~ 2028 Fiscal Year, the Arkansas State Library shall report to the Legislative Council or the Joint Budget Committee on the revised Standards for State Aid to Public Libraries.	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
(2) The report under subdivision (d)(1) of this section shall: (A) Address in writing the actions taken to address the issues as set out in this section; and (B) Include all criteria in the revised Standards for State Aid to Public Libraries, including without limitation how a local public library may become certified to receive funding from the Arkansas State Library. (e) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	

2027 - 2029 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0516 Educational Television Commission, Arkansas **ACT#: 155** **SECTION#: 2**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
EXTRA HELP - STATE OPERATIONS. (a)(1)(A) There is authorized, for the Department of Education - Educational Television Division - State Operations for the ~~2026-2027~~ 2027-2028 fiscal year, the hiring of a maximum number of five (5) part-time or temporary employees, when needed, to be known as "Extra Help". (B) A part-time or temporary employee under subdivision (a)(1) of this section shall be paid from the funds appropriated in this act at a rate of pay not to exceed the rate provided in the Uniform Classification and Compensation Act, § 21-5-201 et seq., or its successor, for the appropriate classification. (2)(A) Many of the positions under subdivision (a)(1) of this section are related to specific projects. (B) A position under subdivision (a)(1) of this section related to a specific project is specifically exempt from limitations of hours, either by act or by rule. (b) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

2027 - 2029 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0516 Educational Television Commission, Arkansas **ACT#: 155** **SECTION#: 4**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
EXTRA HELP - CASH OPERATIONS. (a)(1)(A) There is authorized, for the Department of Education - Educational Television Division - Cash Operations for the ~~2026-2027~~ 2027-2028 fiscal year, the hiring of a maximum number of forty-six (46) part-time or temporary employees, when needed, to be known as "Extra Help". (B) A part-time or temporary employee under subdivision (a)(1) of this section shall be paid from the funds appropriated in this act at a rate of pay not to exceed the rate provided in the Uniform Classification and Compensation Act, § 21-5-201 et seq., or its successor, for the appropriate classification. (2)(A) Many of the positions under subdivision (a)(1) of this section are related to specific projects. (B) A position under subdivision (a)(1) of this section related to a specific project is specifically exempt from limitations of hours, either by act or by rule. (b) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
ACCOUNTS. (a) Appropriations and funds necessary to administer this act shall be established on the books of the Chief Fiscal Officer of the State, the Treasurer of State, and the Auditor of the State. (b) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
POSITIONS. (a) This act is not construed as a commitment of the State of Arkansas or any of its agencies or institutions to continue funding any position paid from the proceeds of the Tobacco Settlement in the event that Tobacco Settlement funds are not sufficient to finance the position. (b) State funds will not be used to replace Tobacco Settlement funds when the Tobacco Settlement funds expire, unless appropriated by the General Assembly and authorized by the Governor. (c) A disclosure of the language contained in subsections (a) and (b) of this section shall be made available to all new hire and current positions paid from the proceeds of the Tobacco Settlement by the Arkansas Tobacco Settlement Commission. (d) Whenever applicable, the information contained in subsections (a) and (b) of this section shall be included in the employee handbook or professional services contract, or both, for a position paid from the proceeds of the Tobacco Settlement funds. (e) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

2027 - 2029 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

9908 Department of Human Services **ACT#: 71** **SECTION#: 8**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
TRANSFER RESTRICTIONS. (a) The appropriations provided in this act shall not be transferred under Arkansas Code § 19-4-513, but only as provided by this act. (b) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
TRANSFERS OF APPROPRIATIONS. (a)(1)(A) If the amount of any of the budget classifications of maintenance and general operation in this act are found by the administrative head of the agency to be inadequate, then the agency head may request a modification of the amounts of the budget classification upon forms provided for the request by the Chief Fiscal Officer of the State. (B) If the administrative head of the agency makes a request under subdivision (a)(1)(A) of this section, he or she shall set out on the forms: (i) The particular classifications for which he or she is requesting an increase or decrease; (ii) The amounts of the increase or decrease; and (iii) His or her reasons for the request. (2)(A) The total amount of the budget shall not exceed either the amount of the appropriation or the amount of the funds available. (B) A transfer shall not be made from the capital outlay or data processing subclassifications unless specific authority for the transfer is provided by law, except for a transfer from capital outlay to data processing when determined by the Office of State Technology that data processing services for a state agency can be performed on a more cost-efficient basis by the office than through the purchase of data processing equipment by that state agency. (3)(A) In considering the requested modification as prepared and submitted by each state agency, the Chief Fiscal Officer of the State shall make such studies as he or she deems necessary. (B) After obtaining the approval of the Legislative Council or the Joint	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
Budget Committee, the Chief Fiscal Officer of the State shall approve the requested modification if in his or her opinion it is in the best interest of the state. (b)(1)(A) Upon determination by the Secretary of the Department of Human Services that a reallocation of resources is necessary for the effective operation of the Medicaid Tobacco Settlement Program Grants, the secretary, with the approval of the Governor, may request from the Chief Fiscal Officer of the State a transfer of appropriation. (B) This transfer authority applies only to the Medicaid Tobacco Settlement Program Grants appropriation section of this act between the Hospital and Medical Services line item and the Prescription Drugs line item. (C) The limitation restrictions applicable to the department reallocation of resources authority applies to this section. (c)(1)(A) The General Assembly has determined that the agency in this act could be operated more efficiently if some flexibility is given to that agency and that flexibility is being accomplished by providing authority to transfer between certain items of appropriation made by this act. (B) Since the General Assembly has granted the agency broad powers under the transfer of appropriations, it is both necessary and appropriate that the General Assembly maintain oversight of the utilization of the transfers by requiring prior approval of the Legislative Council or the Joint Budget Committee in the utilization of the transfer authority. (2)(A) Therefore, the requirement of approval by the Legislative Council or the Joint Budget Committee is not a severable part of this section.	

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
(B) If the requirement of approval by the Legislative Council or the Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this section is void. (d) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	

2027 - 2029 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

9908 Department of Human Services **ACT#: 71** **SECTION#: 10**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
COMPLIANCE WITH OTHER LAWS. (a) Disbursement of funds authorized by this act shall be limited to the appropriation for the Medicaid Tobacco Settlement program and funds made available by law for the support the appropriation. (b) The following shall be strictly complied with in the disbursement of funds authorized by this act: (1) The Arkansas Procurement Law, § 19-61-101 et seq.; (2) The General Accounting and Budgetary Procedures Law, § 19-4-101 et seq.; (3) The Revenue Stabilization Law, § 19-20-101 et seq.; (4) The Regular Salary Procedures and Restrictions Act, §§ 19-4-1601 and 21-5-101; (5) Oher fiscal control laws of this state if applicable; and (6) Rules promulgated by the Department of Finance and Administration as authorized by law. (c) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

2027 - 2029 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

9908 Department of Human Services **ACT#: 71** **SECTION#: 11**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
LEGISLATIVE INTENT. (a) It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by Initiated Act No. 1 of 2000, the Agency Requests, Executive Recommendations, and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Legislative Council or the Joint Budget Committee which relate to its passage and adoption. (b) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

BEHAVIORAL HEALTH SERVICES.

(a)(1) Pay rates for physicians and chief psychologists within the Division of Aging, Adult, and Behavioral Health Services of the Department of Human Services may include the special allowances available to University of Arkansas for Medical Sciences physicians and professional faculty as authorized in the Arkansas Code.

(2) Part of the salaries of staff under subdivision (a)(1) of this section shall come from the receipt of professional income in the care of patients or funds received from federal agencies, foundations, and other private sponsors in the support of research, or any combination of these sources.

(3) Any such allowance shall not exceed for any employee an amount equal to two and one-half (2 1/2) times the salary authorized by the General Assembly.

(4) The specific division classifications covered by this language are:

Class Code	Title	Maximum Annual Salary Rate
MPH02P	PHYSICIAN SPECIALIST	MED12
MPH03P	PHYSICIAN	MED10
MPS04P	PSYCHOLOGIST II	MED09

(b) Before making these allowances for an individual, the allowances shall be approved by the Chief Fiscal Officer of the State and reviewed by the Uniform Personnel Classification and Compensation Plan Subcommittee of the Legislative Council or the Joint Budget Committee.

(c) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.

EXECUTIVE RECOMMENDATION

AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
ARKANSAS HEALTH CENTER. (a)(1) The Department of Human Services shall not close the Arkansas Health Center that provides skilled nursing through specialized services and programs. (2) The department shall continue to accept clients for whom it has determined that skilled nursing and specialized services are needed at the center. (3) No funds shall be transferred or reduced from the center, except for use as federal matching funds, below the approved funding level on March 1, 2003 without the prior approval of the Legislative Council or the Joint Budget Committee. (b)(1)(A) Determining the maximum number of employees and the amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. (B) The determination under subdivision (b)(1)(A) of this section is usually accomplished by delineating the maximum number of employees and the maximum amount of appropriation and general revenue funding in the appropriation act for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization Law, § 19-20-101 et seq. (C) Further, the General Assembly has determined that the department may operate more efficiently if some flexibility is provided to the department authorizing broad powers under this section. (2)(A) Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
Council or the Joint Budget Committee as provided by this section. (B) The requirement of approval by the Legislative Council or the Joint Budget Committee is not a severable part of this section. (C) If the requirement of approval by the Legislative Council or the Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this section is void. (c) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
EMPLOYMENT WORK DAYS. (a)(1) For employees hired as either a Teacher I or a Teacher II by the Arkansas State Hospital on or after July 1, 2013, the Director of the Division of Aging, Adult, and Behavioral Health Services of the Department of Human Services shall set the number of work days for the employment year to equal the number of days worked by those employed in the same classifications at the Arkansas School for the Deaf and Blind. (2) The accrual, use, and carryover of sick days, personal days, and holidays of the employees at the Arkansas State Hospital that are hired on or after July 1, 2013 shall be treated in the same manner as those employed in the same classifications at the Arkansas School for the Deaf and Blind. (b) All employees affected by subsection (a) of this section shall be eligible to receive hazardous duty pay for time worked in eligible areas. (c) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
CARRY FORWARD - CRISIS SERVICES. (a) Any unexpended balance of funds allocated for Crisis Services in the Department of Human Services - Division of Aging, Adult, and Behavioral Health Services from the Behavioral Health Services Fund Account that remains at the close of each state fiscal year shall be carried forward to the next state fiscal year to be used for the same intent and purposes as set forth in law. (b) Any carry forward of unexpended balance of funding as authorized in this section may be carried forward under the following conditions: (1) Prior to June 30, ~~2026~~ 2027, the Division of Aging, Adult, and Behavioral Health Services of the Department of Human Services by written statement shall set forth its reason for the need to carry forward the funding to the Office of Budget of the Department of Finance and Administration; (2)(A) The office shall report to the Legislative Council or the Joint Budget Committee all amounts carried forward by the September Legislative Council or Joint Budget Committee meeting. (B) The report under subdivision (b)(2)(A) of this section shall include: (i) The name of the division and the amount of the funding carried forward; (ii) The program name or appropriation line item; (iii) The funding source of the appropriation; and (iv) A copy of the written statement under subdivision (b)(1) of this section;	AGENCY REQUEST

0710 DHS - Aging, Adult & Behavioral Heath **ACT#: 149** **SECTION#: 18**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
(3) The division shall provide a written report to the Legislative Council or the Joint Budget Committee containing all information set forth in subdivision (b)(2) of this section, along with a written statement as to the current status of the project, contract, purpose, or similar item for which the carry forward was originally requested no later than thirty (30) days before the time the division presents its budget request to the Legislative Council or the Joint Budget Committee; and	
(4) Upon the completion of the conditions in subdivisions (b)(1)-(3) of this section, the Department of Finance and Administration shall include all information obtained under subdivision (b)(3) of this section in the budget manuals and provide any statement of non-compliance by the division.	
(c) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	

2027 - 2029 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0710 DHS - Aging, Adult & Behavioral Heath **ACT#: 149** **SECTION#: 19**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
AGING AND ADULT SERVICES - MATCHING FUNDS. (a)(1) The funds appropriated for state matching for the Arkansas Senior Olympics program in this act shall be paid on a two-to-one (2:1) state to local matching basis. (2) The Senior Arkansas Sports Organization, Inc., shall certify its portion of the match to the Division of Aging, Adult, and Behavioral Health Services of the Department of Human Services before any funds appropriated for state match for the Arkansas Senior Olympics program in this act are disbursed. (b) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

2027 - 2029 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0710 DHS - Aging, Adult & Behavioral Heath **ACT#: 149** **SECTION#: 20**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
AGING AND ADULT SERVICES - NURSING HOME CARE ALTERNATIVES. (a)(1) Funding for "Nursing Home Care Alternatives", as it appears in the Aging and Adult Services - Operations appropriation in this act may be used for home-delivered meals, adult day care, homemaking or chores, respite care, personal care, health promotion, and other community-based activities. (2) Funds under subsection (a) of this section may also be used to match Medicaid community-based programs. (b) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
SENIOR CITIZEN CENTERS. (a)(1)(A) The appropriation for Senior Citizen Centers in this act for shall be distributed in the same manner as the funding formula requirements set out in the Older Americans Act, 42 U.S.C. § 3001 et seq., funding law. (B) The funding provided under subdivision (a)(1) of this section shall supplement and not supplant any moneys currently funding services for senior citizen centers. (2)(A) The additional funding provided in subdivision (a)(1) of this section shall be implemented in accordance with any necessary approval by the Centers for Medicare & Medicaid Services and in the event that additional general revenue funding is provided by the General Assembly for these purposes. (B) If additional funding provided in subdivision (a)(1) of this section is insufficient to provide for the increases in full, the increases shall be provided to the extent that funding is made available. (b) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
CARRY FORWARD OF UNOBLIGATED GENERAL REVENUE FUNDS FOR SENIOR CITIZEN CENTERS. (a) On June 30, 2019, or as soon as is practicable to determine funds available as authorized in this section, and each fiscal year thereafter, the Chief Fiscal Officer of the State shall transfer on his or her books and those of the Treasurer of State and Auditor of State the balance of unobligated general revenue funds, excluding funds carried forward for other purposes, remaining in the fund or fund accounts and the corresponding paying accounts as determined by the Chief Fiscal Officer of the State, as set out in subsection (b) of this section, to the Division of Aging, Adult, and Behavioral Health Services of the Department of Human Services paying account to be used exclusively for the disbursement of funds for senior citizen centers in the amount of recouped and recovered general revenue not to exceed five hundred thousand dollars ($500,000). (b) Any unobligated general revenue, excluding funds carried forward for other purposes, remaining in the following fund or fund accounts and the corresponding paying accounts at the end of the Fiscal Year that would normally be transferred into the General Revenue Allotment Reserve Fund as recouped or recovered General Revenue shall be transferred as authorized in subsection (a) of this section: (1) Department of Human Services Administration Fund Account; (2) Children and Family Services Fund Account; (3) Youth Services Fund Account; (4) Developmental Disabilities Services Fund Account; (5) Medical Services Fund Account;	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
(6) Behavioral Health Services Fund Account; (7) County Operations Fund Account; and (8) Provider Services and Quality Assurance Fund Account. (c)(1) Any general revenue that is recouped or recovered as authorized in subsections (a) and (b) of this section shall be carried forward to the following fiscal year for senior citizen centers and shall be distributed in the same manner as the funding formula requirements set out in the Older Americans Act, 42 U.S.C. § 3001 et seq. funding law. (2) The additional funding provided under subdivision (c)(1) of this section shall supplement and not supplant any moneys currently funding services for senior citizen centers. (d) Should additional funding provided for in subsections (a) and (b) of this section be insufficient to provide for the five hundred thousand dollars ($500,000) authorized under subsection (a) of this section, the increases shall be provided to the extent that general revenue is recouped and carried forward. (e)(1) The Department of Human Services shall provide a written report to the Office of Budget of the Department of Finance and Administration and the Legislative Council or the Joint Budget Committee of the total amount of general revenue carried forward and distributed as set forth in this section no later than thirty (30) days before the time the Department of Human Services presents its budget request to the Legislative Council or the Joint Budget Committee. (2) The Department of Finance and Administration shall include all information obtained in subsection (e)(1) of this section in the budget	

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
manual submitted to the Legislative Council or the Joint Budget Committee for the Department.	

0710 DHS - County Operations Division **ACT#: 127** **SECTION#: 9**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
TRANSFER OF TANF BLOCK GRANT FUNDS. (a) Each fiscal year, the Department of Human Services shall transfer the sum of seven million five hundred thousand dollars ($7,500,000) from the state's federal Temporary Assistance for Needy Families block grant to the Department of Education Division of Elementary and Secondary Education Public School Fund Account to be used solely for the Arkansas Better Chance Program. (b)(1) If the state match for the Temporary Assistance for Needy Families block grant or the state's Temporary Assistance for Needy Families block grant is reduced, the amount to be transferred may be adjusted in proportion to the percentage change in the state match for the Temporary Assistance for Needy Families block grant or the state's Temporary Assistance for Needy Families block grant. (2) The amount to be transferred may also be reduced proportionately to the reduction in subdivision (b)(1) of this section if new cost requirements are imposed upon the state as a result of new or revised Temporary Assistance for Needy Families regulations by the United States Government. (c) The provisions of this section shall be in effect only from July 1, 2027 through June 30, 2028.	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
RESTRICTIONS ON FINANCIAL ASSISTANCE UNDER THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM. (a)(1) The General Assembly is responsible for determining the: (A) Maximum number of employees for the Temporary Assistance for Needy Families Program; (B) Maximum amount of appropriation for the Temporary Assistance for Needy Families Program; (C) Purposes for which an appropriation is authorized; and (D) General revenue funding for the Temporary Assistance for Needy Families Program each fiscal year. (2) The purposes of this subsection are typically accomplished by: (A) Identifying the purpose in the appropriation act; (B) Delineating such maximums in the appropriation act for a state agency; and (C) Delineating the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization Law, § 19-20-101 et seq. (3) It is both necessary and appropriate that the General Assembly restrict the use of appropriations authorized in this act. (b)(1) Upon the request of the Governor or the General Assembly, the Department of Human Services shall request a waiver from the United States Government to: (A) Restrict the financial assistance granted to a recipient of the Temporary Assistance for Needy Families Program or its successor program to purchase goods and services that are considered essential and necessary	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
for the welfare of the family, including without limitation: (i) Food; (ii) Clothing; (iii) Housing; (iv) Utilities; (v) Child care; and (vi) Incidentals, including without limitation transportation and medicine or medical supplies or equipment not covered by either the Arkansas Medicaid Program or the health benefit plan of the individual; and (B) Restrict the cash withdrawal from an electronic benefit transfer card account that receives financial assistance under the Temporary Assistance for Needy Families Program or its successor program by electronic benefit transfer system. (2) If the United States Government denies the waiver application under subdivision (b)(1) of this section, this section shall not be implemented. (3) If the division does not request a wavier under subdivision (b)(1) of this section, the department shall not allocate, budget, expend, or utilize appropriations under this act for the participation of persons in the Temporary Assistance for Needy Families Program. (c) The provisions of this section shall be in effect only from July 1, 2027 through June 30, 2028.	

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
DEVELOPMENTAL DISABILITIES - GRANTS TO COMMUNITY BASED PROVIDERS. (a)(1) Funds allocated for community-based services under the appropriation for the Grants-in-Aid appropriation in this act, the Grants/Patient Services line in the Operations appropriation in this act, and the Inter-Divisional Programs appropriation in this act, shall be used only to provide services through private community-based services licensed or certified by the Division of Developmental Disabilities Services or licensed or certified by a Provider-Led Arkansas Shared Savings Entity. (2) Non-profit community-based programs licensed by the division are quasi-governmental instrumentalities of the state that provide supports and services to individuals who have a developmental disability or delay, who would otherwise require supports and services through state-operated programs and facilities owned by the State of Arkansas. (3) When a licensed provider is involved in delivering services that are Medicaid reimbursable, the licensed provider shall enroll as a provider with the Arkansas Medicaid Program and shall bill the Arkansas Medicaid Program for all covered services for eligible individuals. (b)(1) Services that are covered by the Arkansas Medicaid Program, including the Provider-Led Arkansas Shared Savings Entity model, shall be utilized to the maximum extent possible for any individual who is eligible for Medicaid coverage. (2) It is the intent of this section that the division, as a general policy, maximize the use of Medicaid funding available for appropriate services. (c) Licensed private community providers funded from these appropriations	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
for community-based services shall: (1) Screen each individual to whom services are provided for a determination of eligibility or ineligibility for Medicaid coverage within thirty (30) days of the first date that services are provided; (2) Meet minimum standards of performance in the delivery of services to people with disabilities as defined by the division; (3) Supply statistical and financial data to the division; (4) Establish and maintain a sound financial management system in accordance with guidelines as set forth by the Department of Human Services; and (5)(A) Establish and maintain community support programs designed to provide coordinated care and treatment to ensure ongoing involvement and individualized services for persons with disabilities. (B) It is the intent of this section to ensure that wherever possible and appropriate, Medicaid funds are utilized. (d) This act does not prevent the division or any provider from extending emergency services when appropriate measures have been taken in a timely manner to secure Medicaid eligibility. (e) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	

2027 - 2029 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0710 DHS - Developmental Disabilities Services Division **ACT#: 150** **SECTION#: 11**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
ELIMINATION OF AUTISM WAIVER SERVICES WAITING LIST. (a) Immediately upon the effective date of this act, the Department of Human Services - Division of Developmental Disabilities Services shall budget, allocate, and expend up to one million dollars ($1,000,000) for the elimination of the Autism Waiver Services Program waiting list. (b) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
ACCOUNTS. Such appropriations and fund accounts as may be necessary to administer the provisions of this act shall be established on the books of the Chief Fiscal Officer of the State, State Treasurer, and the Auditor of the State. The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
POSITIONS. (a) Nothing in this act shall be construed as a commitment of the State of Arkansas or any of its agencies or institutions to continue funding any position paid from the proceeds of the Tobacco Settlement in the event that Tobacco Settlement funds are not sufficient to finance the position. (b) State funds will not be used to replace Tobacco Settlement funds when such funds expire, unless appropriated by the General Assembly and authorized by the Governor. (c) A disclosure of the language contained in (a) and (b) of this Section shall be made available to all new hire and current positions paid from the proceeds of the Tobacco Settlement by the Tobacco Settlement Commission. (d) Whenever applicable the information contained in (a) and (b) of this Section shall be included in the employee handbook and/or Professional Services Contract paid from the proceeds of the Tobacco Settlement. The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
TRANSFER RESTRICTIONS. The appropriations provided in this act shall not be transferred under the provisions of Arkansas Code 19-4-513, but only as provided by this act. The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

0710 DHS - Medical Services Division **ACT#: 71** **SECTION#: 9**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
TRANSFERS OF APPROPRIATIONS. In the event the amount of any of the budget classifications of maintenance and general operation in this act are found by the administrative head of the agency to be inadequate, then the agency head may request, upon forms provided for such purpose by the Chief Fiscal Officer of the State, a modification of the amounts of the budget classification. In that event, he shall set out on the forms the particular classifications for which he is requesting an increase or decrease, the amounts thereof, and his reasons therefor. In no event shall the total amount of the budget exceed either the amount of the appropriation or the amount of the funds available, nor shall any transfer be made from the capital outlay or data processing subclassifications unless specific authority for such transfers is provided by law, except for transfers from capital outlay to data processing when determined by the Division of Information Systems that data processing services for a state agency can be performed on a more cost-efficient basis by the Division of Information Systems than through the purchase of data processing equipment by that state agency. In considering the proposed modification as prepared and submitted by each state agency, the Chief Fiscal Officer of the State shall make such studies as he deems necessary. The Chief Fiscal Officer of the State shall, after obtaining the approval of the Legislative Council or Joint Budget Committee, approve the requested transfer if in his opinion it is in the best interest of the state. Upon determination by the Secretary of the Department of Human Services that a Reallocation of Resources is necessary for the effective operation of the Medicaid Tobacco Settlement Program Grants, the	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
Secretary, with the approval of the Governor, shall have the authority to request from the Chief Fiscal Officer of the State a transfer of Appropriation. This transfer authority applies only to the Medicaid Tobacco Settlement Program Grants appropriation section of this Act between the Hospital and Medical Services line item and the Prescription Drugs line item. The limitation restrictions applicable to the Department Reallocation of Resources authority applies to this section. The General Assembly has determined that the agency in this act could be operated more efficiently if some flexibility is given to that agency and that flexibility is being accomplished by providing authority to transfer between certain items of appropriation made by this act. Since the General Assembly has granted the agency broad powers under the transfer of appropriations, it is both necessary and appropriate that the General Assembly maintain oversight of the utilization of the transfers by requiring prior approval of the Legislative Council or Joint Budget Committee in the utilization of the transfer authority. Therefore, the requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void. The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this act shall be limited to the appropriation for such agency and funds made available by law for the support of such appropriations; and the restrictions of the State Purchasing Law, the General Accounting and Budgetary Procedures Law, the Regular Salary Procedures and Restrictions Act, or their successors, and other fiscal control laws of this State, where applicable, and regulations promulgated by the Department of Finance and Administration, as authorized by law, shall be strictly complied with in disbursement of said funds. The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

2027 - 2029 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0710 DHS - Medical Services Division **ACT#: 71** **SECTION#: 11**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by Initiated Act 1 of 2000, the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption. The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
MEDICAL SERVICES - GENERAL MEDICAID RATE METHODOLOGY PROVISIONS. (a)(1) Rates established by the Division of Medical Services for the services or programs covered by this act shall be calculated by the methodologies approved by the Centers for Medicare & Medicaid Services. (2) The division may reduce or increase rates based on the approved methodology. (3) The division may increase or decrease rates for good cause including without limitation: (A) Identification of providers who can render needed services of equal quality at rates less than traditionally charged and who meet the applicable federal and state laws, rules, and regulations pertaining to the provision of a particular service; (B) Identification that a provider or group of providers has consistently charged rates to the Arkansas Medicaid Program greater than to other purchasers of medical services of similar size; (C) The division determines that there has been significant changes in the technology or process by which services are provided by a provider or group of providers which has affected the costs of providing services; or (D) A severe economic downturn in the Arkansas economy that has affected the overall state budget of the division. (b)(1) The division shall make available to requesting providers, the Centers for Medicare & Medicaid Services' inflationary forecasts based on the Centers for Medicare & Medicaid Services Market Basket Index. (2) Rates established with cost of living increases based on the Centers	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
for Medicare & Medicaid Services Market Basket Index or other indices will be adjusted annually except when the state budget does not provide sufficient appropriation and funding to affect the change or portion thereof. (c) Any rate methodology changes proposed by the division, both of a general and specific nature, shall be subject to prior approval by the Legislative Council or the Joint Budget Committee. (d)(1) Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. (2) The determination of the maximum number of employees and the maximum amount of appropriation and general revenue funding of each state agency is subdivision (d)(1) of this section is usually accomplished by delineating such maximums in the appropriation act for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization Law, § 19-20-101 et seq. (3) The General Assembly has determined that the division may operate more efficiently if some flexibility is provided to the division authorizing broad powers under this section. (e)(1) It is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or the Joint Budget Committee as provided by this section. (2) The requirement of approval by the Legislative Council or the Joint Budget Committee is not a severable part of this section. (3) If the requirement of approval by the Legislative Council or the Joint Budget Committee is ruled unconstitutional by a court of competent	

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
jurisdiction, this section is void. (f) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
FUND USAGE AUTHORIZED. (a)(1) Arkansas Children's Hospital may request the Department of Human Services - Division of Medical Services to retain in the Department of Human Services Grants Fund account an amount not to exceed two million one hundred thousand dollars ($2,100,000) from funds made available by this act in the Child and Family Life Institute line item of the Grants appropriation of this act to be used to match federal funds used for supplemental Medicaid payments to Arkansas Children's Hospital. (2) The retained funds under subdivision (a)(1) of this section shall not be recovered to transfer to the General Revenue Allotment Reserve Fund. (b) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
ARKANSAS HEALTH AND OPPORTUNITY FOR ME AND ARKANSAS HEALTH INSURANCE MARKETPLACE RESTRICTIONS. (a) As used in this section, "Arkansas Health and Opportunity for Me" means Arkansas Health and Opportunity for Me established under the Arkansas Health and Opportunity for Me Act of 2021, Arkansas Code § 23-61-1001 et seq. (b)(1) Determining the maximum number of employees, the maximum amount of appropriation, for what purposes an appropriation is authorized, and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. (2) The purposes of subdivision (b)(1) of this section are typically accomplished by: (A) Identifying the purpose in the appropriation act; (B) Delineating such maximums in the appropriation act for a state agency; and (C) Delineating the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization Law, Arkansas Code § 19-20-101 et seq. (3) It is both necessary and appropriate that the General Assembly restrict the use of appropriations authorized in this act. (c)(1) Except as provided in this subsection, the Department of Human Services shall not allocate, budget, expend, or utilize any appropriation authorized by the General Assembly for the purpose of advertisement, promotion, or other activities designed to promote or encourage enrollment in the Arkansas Health Insurance Marketplace or Arkansas Health and Opportunity for Me, including without limitation:	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
(A) Unsolicited communications mailed to potential recipients;	
(B) Television, radio, or online commercials;	
(C) Billboard or mobile billboard advertising;	
(D) Advertisements printed in newspapers, magazines, or other print media; and	
(E) Internet websites and electronic media.	
(2) This subsection does not prohibit the department from:	
(A) Direct communications with:	
(i) Licensed insurance agents; and	
(ii) Persons licensed by the department;	
(B) Solicited communications with potential recipients;	
(C)(i) Responding to an inquiry regarding the coverage for which a potential recipient might be eligible, including without limitation providing educational materials or information regarding any coverage for which the individual might qualify.	
(ii) Educational materials and information distributed under subdivision (c)(2)(C)(i) of this section shall contain only factual information and shall not contain subjective statements regarding the coverage for which the potential recipient might be eligible; and	
(D) Using an Internet website for the exclusive purpose of enrolling individuals in the Arkansas Health Insurance Marketplace or Arkansas Health and Opportunity for Me.	
(d) The Department of Human Services shall not apply for or accept	

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
any funds, including without limitation federal funds, for the purpose of advertisement, promotion, or other activities designed to promote or encourage enrollment in the Arkansas Health Insurance Marketplace or Arkansas Health and Opportunity for Me. (e)(1) Except as provided in subdivision (e)(2) of this section, the Department of Human Services shall not: (A)(i) Except as provided in subdivision (e)(1)(A)(ii) of this section, allocate, budget, expend, or utilize an appropriation authorized by the General Assembly for the purpose of funding activities of navigators, guides, certified application counselors, and certified licensed producers under the Arkansas Health Insurance Marketplace Navigator, Guide, and Certified Application Counselors Act, Arkansas Code § 23-64-601 et seq. (ii) Subdivision (e)(1)(A)(i) of this section does not apply to regulatory and training responsibilities related to navigators, guides, certified application counselors, and certified licensed producers; and (B) Apply for or accept any funds, including without limitation federal funds, for the purpose of funding activities of navigators, guides, certified application counselors, and certified licensed producers under the Arkansas Health Insurance Marketplace Navigator, Guide, and Certified Application Counselors Act, Arkansas Code § 23-64-601 et seq. (2) Subdivision (e)(1) of this section does not apply to certified application counselors at health related institutions, including without limitation the University of Arkansas for Medical Sciences.	

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
(f) An appropriation authorized by the General Assembly shall not be subject to the provisions allowed through reallocation of resources or transfer of appropriation authority for the purpose of transferring an appropriation to any other appropriation authorized for the Department of Human Services to be allocated, budgeted, expended, or utilized in a manner prohibited by this section. (g) The provisions of this section are severable, and the invalidity of any subsection or subdivision of this section shall not affect other provisions of the section that can be given effect without the invalid provision. (h) This section expires on June 30, ~~2027~~ 2028.	

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
MEDICAL SERVICES - COMMUNITY AND EMPLOYMENT SUPPORTS MEDICAID WAIVER. (a) The first thirty-seven million six hundred thousand dollars ($37,600,000) of the funding allocated to the Department of Human Services Grants Fund Account under § 19-23-102 shall be set aside in its own subfund by the Department of Human Services and shall be used only for home and community-based services to individuals with intellectual and developmental disabilities under the Community and Employment Supports Medicaid Waiver Program or a successor Medicaid Waiver program that provides home and community-based services to individuals with intellectual and developmental disabilities. (b) At the close of the fiscal year ending June 30, ~~2027~~ 2028, any unexpended balance of moneys set aside as established in subsection (a) of this section shall be transferred forward and made available for the same purpose for the fiscal year ending June 30, ~~2028~~ 2029. (c) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

0710 DHS - Medical Services Division **ACT#: 132** **SECTION#: 12**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
ARKANSAS MEDICAID PROGRAM TRUST FUND DISTRIBUTION AND BALANCE REPORT. (a) The Department of Human Services shall submit monthly an Arkansas Medicaid Program Trust Fund Distribution and Balance report to the Performance Evaluation and Expenditure Review Subcommittee of the Legislative Council or, if meeting in a legislative session, the PEER/Review Subcommittee of the Joint Budget Committee no later than ten (10) days before the Performance Evaluation and Expenditure Review Subcommittee of the Legislative Council's or the PEER/Review Subcommittee of the Joint Budget Committee's scheduled meeting date. (b) The report under subsection (a) of this section shall summarize the current total fund balance and the ending total fund balances of the Arkansas Medicaid Program Trust Fund for the five (5) fiscal years immediately preceding the current fiscal year. (c) The report under subsection (a) of this section shall contain, cumulatively over the course of the fiscal year, by month for each distribution from the Arkansas Medicaid Program Trust Fund and its subfunds, the following: (1) The amount of the distribution; (2) The date of the distribution; (3) The fund code to which the distribution was made; (4) The appropriation line item name from which the funds are distributed; and (5) The purpose of the distribution. (d) The provisions of this section shall be in effect only from July 1, ~~2026~~	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
2027 through June 30, ~~2027~~ 2028.	

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
SECRETARY'S OFFICE OF THE DEPARTMENT OF HUMAN SERVICES AND OFFICE OF CHIEF COUNSEL - PURCHASE OF EVIDENCE. (a)(1) Upon approval by the Chief Fiscal Officer of the State, the Office of Chief Counsel of the Department of Human Services may transfer an amount up to but not to exceed twelve thousand dollars ($12,000) and deposit the same amount in a bank account for the purpose of purchasing evidence in the course of investigating the illegal use of electronic benefit transfer (EBT) cards. (2)(A) The funds transferred under subdivision (a)(1) of this section shall be subject to accounting in a manner substantially similar to that employed by the Division of Arkansas State Police for such transactions. (B) However, the information that tends to identify participants in transactions is exempt from the Freedom of Information Act of 1967, § 25-19-101 et seq. (b) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
HUMAN SERVICES RENOVATION FUND. Department of Human Services Renovation Fund. (a) There is established on the books of the Treasurer of State, Auditor of State, and the Chief Fiscal Officer of the State a fund to be known as the Department of Human Services Renovation Fund. (b) This fund shall be used for constructing, acquiring, renovating, maintaining, repairing, and equipping facilities of the Department of Human Services and for paying disallowances by the federal government. (c) The fund shall consist of: (1) Federal reimbursement received by the Department of Human Services and deposited in the various fund accounts of the department; and (2) General revenues transferred from the Division of Youth Services, the Division of Aging, Adult, and Behavioral Health Services, and the Division of Developmental Disabilities Services for the purposes of repairing, renovating, equipping, acquiring and constructing Department of Human Services facilities with an annual maximum of five million dollars ($5,000,000). The projects for which these transfers are authorized must be projects which were unanticipated during the preceding regular session of the Arkansas General Assembly and must be projects which, if not carried out in the interim period between regular sessions of the Arkansas General Assembly would cause greater harm to the facilities, clients or programs of the Department of Human Services than to wait until the next regular session. (3) Other non-general revenue funds as may be available within the Department of Human Services that can be used for the purposes of this	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
fund. (d)(1) At the request of the Secretary of the Department of Human Services, and upon certification of the availability of such funds, the Chief Fiscal Officer of the State shall initiate the necessary transfer documents to reflect the transfer on the books of record of the Treasurer of State, the Auditor of State, the Chief Fiscal Officer of the State, and the Department of Human Services. (2) The Secretary of the Department of Human Services shall submit any transfer plan to and must receive approval of the plan from the Chief Fiscal Officer of the State, the Governor and the Arkansas Legislative Council or Joint Budget Committee prior to the effective date of the transfer. (e) Provided, that any non-general revenue funding that may remain in the fund at the end of any fiscal year shall be carried over into the next fiscal year and all obligated general revenue funding that may remain in the fund at the end of any fiscal year shall be carried over into the next fiscal year to satisfy such legal and contractual obligations that have been entered into prior to the end of the fiscal year. (f) Determining the amount of funds appropriated to a state agency is the prerogative of the General Assembly and is usually accomplished by delineating specific line items and by identifying the appropriation and funding attached to that line item. The General Assembly has determined that the Department of Human Services could be operated more efficiently if some flexibility is given to that agency. That flexibility is being accomplished by providing transfer authority in subsection (d) of this	

0710 DHS - Secretary's Office **ACT#: 160** **SECTION#: 10**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
section, and since the General Assembly has granted the agency broad powers under the transfer authority concept, it is both necessary and appropriate that the General Assembly maintain oversight of the utilization of the transfer authority by requiring prior approval of the Legislative Council or Joint Budget Committee in the utilization of this transfer authority. Therefore, the requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void. The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
TRANSFER AUTHORITY. (a) The Secretary of the Department of Human Services shall have transfer authority provided by the following: (1)(A) The Department of Human Services Renovation Fund. (B) The secretary may request fund transfers according to the Department of Human Services Renovation Fund as established in § 19-27-217; (2)(A) Match Transfer. (B) The secretary, with the approval of the Chief Fiscal Officer of the State, may effect interagency and interdivisional fund transfers to provide the state's matching share for payments made to an agency or its service providers for services eligible for federal reimbursement under programs administered by the Department of Human Services. (C) The department shall report to the Legislative Council or the Joint Budget Committee on a quarterly basis all fund transfers made in accordance with the authority granted by this section; and (3)(A) Reallocation of Resources. (B) The department provides hundreds of different services to over one million (1,000,000) Arkansans. (C)(i) The specific mix of service needs and the funding and staffing required to provide them can vary significantly based on many factors, including; (a) Natural disasters; (b) Changing federal mandates and funding sources; (c) Demographic shifts;	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION

(d) Fluctuating court-ordered services;

(e) Social trends; and

(f) Job market variations such as nursing shortages.

(ii) The impacts of the factors listed in subdivision (a)(3)(C)(i) of this section make it difficult for the department to accurately predict the exact needs for funding, appropriation, and positions in its appropriations.

(iii) To ensure that the department can respond quickly to changing client needs and make the most effective use of the resources allocated to the department, the department may utilize the reallocation of resource authority to make the proper adjustments to the budgets within the department.

(D)(i) Therefore, upon determination by the secretary that a reallocation of resources within the department is necessary for the efficient and effective operation of the department, the secretary, with approval of the Governor, may request from the Chief Fiscal Officer of the State a transfer of positions, appropriations, line item appropriations, and funds within or between existing and newly created divisions, offices, sections, or units of the department.

(ii) However, a transfer of funds or appropriation that provides direct support or matching support for the Arkansas Medicaid Program shall not be made to any other fund account or appropriation that does not directly support the Arkansas Medicaid Program.

(E) Positions, funds, or appropriation authorized during the budget process for the Division of Children and Family Services' compliance with initiatives established under the consent decree from Angela R., et al. v. Bill

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
Clinton, et al. shall not be transferred to any other division. (F) Subdivision (a)(3) of this section is not intended to prevent the one-time transfer of savings in any other program to the Arkansas Medicaid Program, with the exception of the consent decree from Angela R., et al. v. Bill Clinton, et al. under subdivision (a)(3)(E) of this section. (G) The Division of Developmental Disabilities Services - Grants to Community Providers line item of the Division of Developmental Disabilities Services - Grants-in-Aid appropriation may not be decreased. (H) The appropriation, funding, and positions provided for the five (5) human development centers shall remain at a level sufficient to ensure quality care for the human development centers' residents. (I) The exemptions provided in subsection (a) of this section that allow certain department programs and divisions to be protected from appropriation, fund, or position transfers are applicable only to the reallocation or transfer authority granted in this section, and not by any reductions that are applicable to all state programs. (b)(1) The secretary shall submit any requests for transfers to and must receive approval of the requests for transfers from the Chief Fiscal Officer of the State, the Governor, and the Legislative Council or the Joint Budget Committee before the effective date of the transfers. (2) However, the department shall be limited to submitting no more than four (4) reallocation of resources transfer requests during any fiscal year. (3) In each reallocation of resources request, no single division shall request reallocation for more than one (1) purpose as listed in this section.	

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
(4) Transfer authority for unforeseen purposes shall further be limited to no more than five percent (5%) of the total appropriation, funding, and positions authorized for the department. (5) Reallocation of resources transfers may include multiple items but shall be limited to the following purposes: A) Arkansas Medicaid Program; B) Facilities and institution costs, including operational expenses and construction, renovation, and equipping expenses; C) Departmental grants and contracts; D) Court-ordered settlements and payments; E) Payment of administrative expenses, including without limitation overtime and other costs of personnel for critical services or functions necessary to carry out the mission of the department; F) Restructuring efforts as deemed necessary to comply with new or unanticipated federal or state mandates, or both; and G) Redirecting internal resources, both direct or indirect, or both, to meet client needs and services. (c)(1)(A) Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. (B) The determination under subdivision (c)(1)(A) of this section is usually accomplished by delineating the maximums number of employees and the maximum amount of appropriation and general revenue funding in the appropriation act for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the	

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
Revenue Stabilization Law, § 19-20-101 et seq. (C) Further, the General Assembly has determined that the department may operate more efficiently if some flexibility is provided to the department authorizing broad powers under this section. (2)(A) Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or the Joint Budget Committee as provided by this section. (B) The requirement of approval by the Legislative Council or the Joint Budget Committee is not a severable part of this section. (C) If the requirement of approval by the Legislative Council or the Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this section is void. (d)(1) If it is determined that the requested reallocation of resources transfers should be made, the Chief Fiscal Officer of the State shall initiate the necessary transfer documents to reflect the transfers upon the fiscal records of the Treasurer of State, the Auditor of State, the Chief Fiscal Officer of the State, and the department. (2) In addition, the Chief Fiscal Officer of the State, together with the Senate Cochair of the Legislative Council and the House Cochair of the Legislative Council or the Joint Budget Committee, may approve, on an emergency basis, requests for utilization of this section without prior approval of the Legislative Council or the Joint Budget Committee, with any such actions reported at the next meeting of the Legislative Council or the Joint Budget Committee. (e) The provisions of this section shall be in effect only from July 1, ~~2026~~	

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
2027 through June 30, ~~2027~~ 2028.	

0710 DHS - Secretary's Office **ACT#: 160** **SECTION#: 12**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
ARKANSAS STATE HOSPITAL - INSURANCE REIMBURSEMENTS AND UNSPENT SET-ASIDE FUNDS FOR REPAIRS RECOUPMENT. (a) An insurance reimbursement received by the Department of Human Services to reimburse funds that were transferred from the EBD or Contingency Set-Aside in the Restricted Reserve Fund for critical storm damage repair for the Arkansas State Hospital shall be transferred, as the insurance reimbursement is received, on the books of the Chief Fiscal Officer of the State, the Treasurer of State, and the Auditor of State from the appropriate fund or fund account into which the department deposited the insurance reimbursement payment to: (1) The EBD or Contingency Set-Aside in the Restricted Reserve Fund if the EBD or Contingency Set-Aside in the Restricted Reserve Fund is currently active with a balance greater than zero dollars ($0.00); or (2) The General Revenue Allotment Reserve Fund if the EBD or Contingency Set-Aside in the Restricted Reserve Fund is no longer active. (b) Any funds received by the department for critical storm damage repair for the Arkansas State Hospital from the EBD or Contingency Set-Aside in the Restricted Reserve Fund that remain upon completion of the storm damage repair project shall be transferred as provided for insurance reimbursements under subsection (a) of this section. (c) The Secretary of the Department of Human Services shall notify the Chief Fiscal Officer of the State and the Performance Evaluation and Expenditure Review Subcommittee of the Legislative Council or, if the General Assembly is in session, the PEER/Review Subcommittee of the Joint Budget Committee, of the following to allow for the transfers provided for	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
in subsections (a) and (b) of this section: (1) The receipt of an insurance reimbursement by the department for critical storm damage repair for the Arkansas State Hospital; and (2) Upon completion of the storm damage repair project, the amount of any remaining funds described in subsection (b) of this section. (d) The department shall report quarterly to the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee: (1) The status of the storm damage repair project; (2) The projected completion timelines for the storm damage repair project; (3) The total amount of the insurance reimbursements received by the department to date for the storm damage repair project; and (4) Any remaining balance of the original five million dollars ($5,000,000) transferred to the department from the EBD or Contingency Set-Aside in the Restricted Reserve Fund. (e) This section is effective on July 1, 2024, and until the final transfer of funds has been made as provided in this section.	

0710 DHS - Secretary's Office **ACT#: 160** **SECTION#: 13**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
DEPARTMENT OF HUMAN SERVICES COMPREHENSIVE AGENCY REVIEW. (a)(1) The Hospital, Medicaid, and Developmental Disabilities Study Subcommittee of the Legislative Council shall perform a comprehensive review of the Department of Human Services, which shall commence at the direction of the cochairs of the Legislative Council, in consultation with cochairs of the Hospital, Medicaid, and Developmental Disabilities Study Subcommittee of the Legislative Council. (2) This review shall include, without limitation: administrative policies and functions, personnel and staffing evaluations, and revenues and expenditures of the Department of Human Services, divisions, and providers. (3) The Hospital, Medicaid, and Developmental Disabilities Study Subcommittee of the Legislative Council shall prioritize the review as follows: the Shared Services division, the Division of Children and Family Services, and the Division of County Operations, with further prioritization of divisions to be determined by the Hospital, Medicaid, and Developmental Disabilities Study Subcommittee of the Legislative Council. (4) The review shall include input and recommendations from the Attorney General's Medicaid Fraud Control Unit and the Department of Inspector General's office. (b)(1) The preliminary recommendations and report shall be completed within six (6) months of the Hospital, Medicaid, and Developmental Disabilities Study Subcommittee of the Legislative Council's initial meeting. (2) Upon completion of this preliminary report, the Hospital, Medicaid, and Developmental Disabilities Study Subcommittee of the Legislative	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
Council shall provide the Department of Human Services, the Governor, and the Legislative Council with a report to include recommendations and desired metrics with expected timelines of completion to meet the desired outcomes provided in the preliminary report. (3) At the direction of the Chair of the Hospital, Medicaid, and Developmental Disabilities Study Subcommittee of the Legislative Council, the Hospital, Medicaid, and Developmental Disabilities Study Subcommittee of the Legislative Council may add recommendations and approve and review actions by the Department of Human Services in accordance with the preliminary recommendations. (c) The final report and outcomes, including recommending legislation to address findings, shall be presented at the final Legislative Council meeting of the 95th General Assembly. (d) The Department of Human Services shall report to the Hospital, Medicaid, and Developmental Disabilities Study Subcommittee of the Legislative Council monthly the status of implementation of the recommendations with review and approval of all steps taken to meet the metrics and desired outcomes of the Department of Human Services in accordance with the recommendations by the Hospital, Medicaid, and Developmental Disabilities Study Subcommittee of the Legislative Council and by the Legislative Council. (e) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	

2027 - 2029 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0710 DHS - Youth Services Division **ACT#: 133** **SECTION#: 8**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
~~TRANSFER OF FUNDS FOR THE JUVENILE OMBUDSMAN PROGRAM.~~ ~~(a)(1)The Department of Human Services shall provide funding in an amount not to exceed two hundred forty thousand dollars ($240,000) for the fiscal year ending June 30, 2027 2028 for the Juvenile Ombudsman Program described in ACA § 25-43-1008.~~ ~~(2) Upon request by the Secretary of the Department of Inspector General, the Chief Fiscal Officer of the State shall transfer an amount not to exceed two hundred forty thousand dollars ($240,000) for the fiscal year ending June 30, 2027 2028 from an account designated by the Secretary of the Department of Human Services to the State Central Services Fund as a direct revenue to fund the Juvenile Ombudsman Program.~~ ~~(b) The provisions of this section shall be in effect only from July 1, 2026 2027 through June 30, 2027 2028.~~	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
TRANSFER OF FUNDS FOR LOCAL JUVENILE DETENTION FACILITIES. (a) The Chief Fiscal Officer of the State shall transfer funds in an amount of four hundred thousand dollars ($400,000) for the fiscal year ending June 30, ~~2027~~ 2028 from the Department of Human Services - Youth Services Fund Account to the Juvenile Detention Facilities Operating Fund to fund the appropriation to the Department of Finance and Administration - Disbursing Officer for grants for operating expenses of local juvenile detention facilities. (b) The amount of the funds transferred in the fiscal year ending June 30, ~~2027~~ 2028, may be adjusted upon request of the Secretary of the Department of Human Services on a pro-rata basis with any reductions provided in the Revenue Stabilization Law, § 19-20-101 et seq., from the July 1 Official Forecast of general revenue funding for the Division of Youth Services. (c) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

0710 DHS - Youth Services Division **ACT#: 133** **SECTION#: 10**

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
RESIDENTIAL SERVICES CONTINGENCY. (a)(1) If it has been determined that the Department of Human Services - Division of Youth Services cannot continue to contract with private providers for residential juvenile services, educational services, therapeutic services, or medical services and deems it necessary to utilize Department of Human Services staff to provide all or parts of the required services, the department may seek the approval of the Chief Fiscal Officer of the State, the Governor, and the Legislative Council or the Joint Budget Committee to utilize the contingent residential services positions contained in this act and to make the appropriate transfers from any line item authorized in the Residential Services appropriation of this act to any line item authorized in the Operations appropriation of this act. (2) If it has been determined that the Department of Human Services - Division of Youth Services cannot continue to operate one or more of the various service components of a residential facility for residential juvenile services, educational services, therapeutic services, or medical services and deems it necessary to utilize a contract with private providers, the department may seek the approval of the Chief Fiscal Officer of the State, the Governor, and the Legislative Council or the Joint Budget Committee to make the appropriate transfers from any line item authorized in the Operations appropriation of this act to any line item authorized in the Residential Services appropriation of this act. (C) The provisions of this section shall be in effect only from July 1, ~~2026~~ 2027 through June 30, ~~2027~~ 2028.	AGENCY REQUEST

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXTRA HELP SALARIES - CONTINGENT RESIDENTIAL SERVICES POSITIONS.

(a) There is established for the Department of Human Services - Division of Youth Services - contingent residential services positions, at a maximum number of positions as provided in this section whose salaries shall be governed by the Uniform Classification and Compensation Act, § 21-5-201 et seq.

(b) Requests to use positions will be based upon the noncontracted services for residential juvenile services, educational services, therapeutic services, or medical services.

(c) If a category of services is contracted with private providers, identified positions associated with such services shall be returned to the contingency pool.

(d) To ensure required staffing levels, extra help positions authorized in this section are specifically exempt from limitation of hours, either by this act or rule.

CONTINGENT POSITIONS - RESIDENTIAL SERVICES

ITEM NO.	CLASS CODE	TITLE	MAXIMUM NO. OF EMPLOYEES
(01)	9999	EXTRA HELP	320
GRANT TOTAL CONTINGENT POSITIONS			320

(e) The provisions of this section shall be in effect through June 30, ~~2027~~ 2028.

EXECUTIVE RECOMMENDATION

AGENCY REQUEST