

**Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.**

INTERIM STUDY PROPOSAL 2007-156

State of Arkansas  
86th General Assembly  
Regular Session, 2007

# A Bill

SENATE BILL 977

By: Senator B. Pritchard

Referred to  
Judiciary Committee - Senate  
by the Arkansas Senate  
on 03/30/2007

## For An Act To Be Entitled

AN ACT TO PROVIDE FUNDING FOR ARKANSAS DRUG COURTS; TO AMEND SECTIONS OF THE ARKANSAS CODE RESULTING FROM INITIATED ACT 1 OF 2000; AND FOR OTHER PURPOSES.

## Subtitle

AN ACT TO PROVIDE FUNDING FOR ARKANSAS DRUG COURTS AND TO AMEND SECTIONS OF THE ARKANSAS CODE RESULTING FROM INITIATED ACT 1 OF 2000.

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

SECTION 1. Arkansas Code § 19-12-102(13), concerning the definition of the Medicaid Expansion Program Account, resulting from Initiated Act 1 of 2000, is amended to read as follows:

(13) "Medicaid Expansion Program Account" shall mean the account by that name created pursuant to § 19-12-112 to be funded from the Tobacco Settlement Program Fund ~~and used by the Arkansas Department of Human Services for the purposes set forth in this chapter.~~

SECTION 2. Arkansas Code § 19-12-112(a), resulting from Initiated Act

1 of 2000 and concerning creation of the Medicaid Expansion Program Account,  
 2 is amended to read as follows:

3 (a)(1) There is hereby created a trust fund on the books of the  
 4 Treasurer of State, Auditor of State, and Chief Fiscal Officer of the State,  
 5 within the Tobacco Settlement Program Fund maintained by the State Board of  
 6 Finance, an account to be known as the Medicaid Expansion Program Account.

7 ~~Such account~~ (2) The account shall be used by:

8 (A)(i) By the Department of Health and Human Services for  
 9 such purposes and in such amounts as may be appropriated in law.

10 (ii) These funds shall not be used to replace or  
 11 supplant other funds available in the Department of Human Services Grants  
 12 Fund Account.

13 (iii) The funds appropriated for this program shall  
 14 not be expended, except in conformity with federal and state laws, and then  
 15 only after the department obtains the necessary approvals from the federal  
 16 Health Care Financing Administration; and

17 (B) As appropriated by the General Assembly for use in  
 18 providing for expanded operations of drug courts.

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 20 SECTION 3. Arkansas Code § 19-12-119, resulting from Initiated Act 1  
 21 of 2000, is amended to read as follows:

22 19-12-119. Use of funds for the Medicaid Expansion Program Account.

23 (a) In addition to the purposes enumerated in ~~§ 19-12-116~~ §§ 19-12-112  
 24 and 19-12-116 for the Medicaid expansion program, the funds made available to  
 25 the Medicaid Expansion Program Account may also be used to supplement current  
 26 general revenues as approved by the Governor and the Chief Fiscal Officer of  
 27 the State for the Arkansas Medicaid Program.

28 (b) None of the funds shall be used for this additional purpose if the  
 29 usage will reduce the funds made available by the General Assembly for the  
 30 Meals-on-Wheels program and the senior prescription drug program.

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 32 SECTION 4. Arkansas Code § 19-5-1121, resulting from Initiated Act 1  
 33 of 2000, is amended to read as follows:

34 (b)(1) This fund shall consist of those moneys transferred from the  
 35 Tobacco Settlement Program Fund as provided in § 19-12-108 and interest  
 36 earnings.

- 1 (2) The fund shall be used ~~by the:~~
- 2 (A) By the Department of Health and Human Services for
- 3 those purposes as set out in § 19-12-112; and
- 4 (B) As appropriated by the General Assembly for use in
- 5 providing for expanded operations of drug courts.

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7 SECTION 5. Arkansas Code Title 19, Chapter 5, Subchapter 12 is amended

8 to add a new section as follows:

9 19-5-1230. Arkansas Drug Court Fund.

10 (a) There is created on the books of the Treasurer of State, the

11 Audi tor of State, and the Chief Fi scal Officer of the State a fund to be

12 known as the "Arkansas Drug Court Fund ".

13 (b) The fund shall consist of any revenues as may be authorized by

14 law.

15 (c) The funds transferred to the Community Health Centers of Arkansas

16 Fund shall be distributed by the Disbursing Officer of the Department of

17 Finance and Admi nistration to be used for expanded operations of drug courts.

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19 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the

20 General Assembly of the State of Arkansas that many Arkansans are in need of

21 treatment for dependency on controlled substances; that Arkansas drug courts

22 assist drug-dependent citizens by diverting them from criminal penalties into

23 treatment programs; that the funding for drug treatment programs lags behind

24 the number of cases, leaving individuals and their families without the

25 treatment they need; that this act will permit the use of available funds for

26 those services; and that this act is necessary in order to provide needed

27 funding for the next fi scal biennium. Therefore, an emergency is declared to

28 exist, and this act being necessary for the preservation of the public peace,

29 health, and safety shall become effective on July 1, 2007.

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