

State of Arkansas
76th General Assembly
Regular Session, 1987
By: Representative Mahony

HOUSE BILL 1891

"AN ACT TO PROVIDE AN EVEN FLOW OF REVENUES TO COUNTIES AND
MUNICIPALILTIES; AND FOR OTHER PURPOSES."

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

SECTION 1. In the event monies are distributed to the County Aid Fund and Municipal Aid Fund during any month, which are in excess of one-twelfth of the amount estimated by the Chief Fiscal Officer of the State to become available to the County Aid Fund and Municipal Aid Fund during the then current fiscal year, as certified monthly by the Chief Fiscal Officer of the State to the State Treasurer, up to a maximum of that set out in Paragraph (A) of Section 11 of Act 750 of 1973, as amended, for the County Aid Fund and Municipal Aid Fund, there shall be transferred from the County Aid Fund and Municipal Aid Fund to the State Budget Revolving Fund, such amounts as are necessary to repay any loans outstanding from the State Budget Revolving Fund to the County Aid Fund and Municipal Aid Fund before any distribution of general revenue is made to any county or municipality in this State. Provided, that the amount remaining to be distributed after repaying the loans under the provisions of this Section shall not be less than one-twelfth of the amount estimated by the Chief Fiscal Officer of the State to become available to the County Aid Fund and Municipal Aid Fund during the then current fiscal year or the amount as set out for the County Aid Fund and Municipal Aid Fund in Subsection (A) of Section 11 of Act 750 of 1973, as amended, whichever is the lesser. Provided, however, that the amount of monies to be loaned to the County Aid Fund and Municipal Aid Fund in any month from the State Budget Revolving Fund shall be determined by the Chief Fiscal Officer of the State after taking into consideration the amount distributed during the prior months in the then current fiscal year as well as the amounts estimated to be distributed to the County Aid Fund and Municipal Aid Fund in succeeding months of

the then current fiscal year, it being the intent of the General Assembly to provide a distribution to the counties and municipalities each month of such general revenue as is available which, together with loans from the State Budget Revolving Fund, will provide as even a flow of monies as is possible throughout the fiscal year while at the same time maintaining the State Budget Revolving Fund in a strong financial position. Provided further, that all loans made to the County Aid Fund and Municipal Aid Fund from the State Budget Revolving Fund are to be repaid by June 30 of the fiscal year in which the loans were made.

SECTION 2. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 3. It is hereby found and determined by the General Assembly that because of the case *Ricarte v. State*, CR 86-31, a question has arisen over the validity of Act 1112 of the Extended Session of 1976; that this Act is a reenactment of the former law; and that the immediate passage of this Act is necessary to clarify the state of the law on this issue. Therefore, an emergency is hereby declared to exist, and this Act being necessary for the immediate preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval.

