

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Joint Budget Committee

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7

A Bill

SENATE BILL

355

For An Act To Be Entitled

8 "AN ACT TO REPEAL THE BUREAU OF ALCOHOL AND DRUG ABUSE
9 PREVENTION FUND AND THE ALCOHOL AND DRUG SAFETY FUND; TO
10 PROVIDE FOR THE DISPOSITION OF VARIOUS FUNDS FOR THE
11 PUBLIC HEALTH FUND; AND FOR OTHER PURPOSES."

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Subtitle

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"AN ACT TO PROVIDE FOR THE DISPOSITION
OF FUNDS FOR THE DEPARTMENT OF HEALTH."

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

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19 SECTION 1. Arkansas Code 5-65-115(c) is hereby amended to read as
20 follows:

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"(c) Within six (6) months of the final adjudication of guilt, the driver shall furnish proof of attendance at and completion of the alcoholism treatment or education program. If such proof is not furnished, the driver shall be cited for contempt of court and assessed an additional court cost of two hundred dollars (\$200), with fifty dollars (\$50.00) retained by the municipal court. The remaining moneys received from these additional court costs shall be remitted at least quarterly, by January 1, April 1, July 1, and October 1 to the Director of the Department of Finance and Administration. One-half (1/2) of the moneys so received by the director shall be deposited in the State Treasury to be credited to the Highway Safety Special Fund for use to support programs of the Arkansas Highway Safety Program. The remaining one-half (1/2) of such moneys received by the director shall be deposited in the State Treasury to be credited to the Public Health Fund to support *substance abuse* treatment programs of the Department of Health, Bureau of Alcohol and Drug Abuse Prevention."

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2 SECTION 2. Arkansas Code 16-17-110(b)(2)(A)(ii) is hereby amended to
3 read as follows:

4 "(ii) Sixteen and seven-tenths percent (16.7%) to the Public Health
5 Fund."

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7 SECTION 3. Arkansas Code 16-18-106(b)(2)(A)(ii) is hereby amended to
8 read as follows:

9 "(ii) Sixteen and seven-tenths percent (16.7%) to the Public Health Fund."

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11 SECTION 4. Arkansas Code 16-19-413(b)(2)(A)(ii) is hereby amended to
12 read as follows:

13 "(ii) Sixteen and seven-tenths percent (16.7%) to the Public Health Fund."

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15 SECTION 5. Arkansas Code 19-5-504 is hereby amended to read as
16 follows:

17 "19-5-504. Loans of anticipated proceeds of Aging and Adult Services Fund
18 Account.

19 In addition to those purposes for which the Budget Stabilization Trust
20 Fund may be used, the Department of Human Services may borrow from that fund
21 an amount equal to eighty percent (80%) of the anticipated proceeds made
22 available to the Aging and Adult Services Fund Account from nursing home bed
23 license fees. The borrowed amounts are to be transferred to the Aging and
24 Adult Services Fund Account in such amounts and under such restrictions and
25 conditions as are determined to be in the best interest of the state by the
26 Chief Fiscal Officer of the State and, in any event, shall be repaid to the
27 Budget Stabilization Trust Fund in full by June 30 of the year in which the
28 funds were borrowed."

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30 SECTION 6. Arkansas Code 19-6-457 is hereby amended to read as
31 follows:

32 "19-6-457. Aging and Adult Services Special Revenue Fund.

33 There is hereby created on the books of the Treasurer of State and the
34 Chief Fiscal Officer of the State a fund to be known as the Aging and Adult
35 Services Special Revenue Fund which shall consist of those special revenues

1 as specified in § 20-10-1101 et seq. and § 26-57-901 et seq., and any other
2 special revenues designated for this fund by law, there to be used for the
3 maintenance, operations, and improvement as required by the Aging and Adult
4 Services Division of the Department of Human Services."

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6 SECTION 7. Arkansas Code 20-64-908 is hereby amended to read as
7 follows:

8 "20-64-908. Disposition of funds.

9 All application fees and accreditation costs will be paid to the
10 Department of Health, Bureau of Alcohol and Drug Abuse Prevention. The
11 Department of Health, Bureau of Alcohol and Drug Abuse Prevention will
12 transfer said money to the State Treasury, and said money shall be specially
13 designated for transfer to the Public Health Fund to cover maintenance and
14 operation expenses incurred by the accreditation review process."

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16 SECTION 8. Arkansas Code 19-5-307(b) is hereby amended to read as
17 follows:

18 "(b) The fund shall consist of:

19 (1) Those special revenues as set out in subdivisions (65),
20 (66), (68), (69), (97), (133), (136), (137), (139), (140), (141),
21 (142), (143), (144), (147), (155), (166), that portion of
22 subdivision (58), sixteen and seven-tenths percent (16.7%) of
23 subdivision (115), and fifty percent (50%) of subdivision (129)
24 of § 19-6-301 of the Revenue Classification Law, § 19-6-101 et
25 seq.;

26 (2) General revenues as may be provided by law;

27 (3) Nonrevenue income derived from services provided by the
28 various divisions of the Department of Health;

29 (4) Federal reimbursement received on account of eligible expenditures
30 by the various divisions of the Department of Health;

31 (5) Other funds as may be provided by law; and

32 (6) The June 30, 1995 fund balance in the Alcohol and Drug
33 Safety Fund, which in addition to those special revenues as set
34 out in §19-5-307(b)(1) attributable to subdivisions (115) and
35 (129), shall be used exclusively for the support of

1 detoxification services and alcohol and drug abuse rehabilitation
2 and treatment services as set out in §§16-17-110, 16-18-106, and
3 16-19-413."
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5 SECTION 9. Arkansas Code §§16-17-110(c); 16-18-106(c); 16-19-413(c);
6 19-5-309; and 19-6-447 are hereby repealed.
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8 SECTION 10. CODE. All provisions of this Act of a general and
9 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and
10 the Arkansas Code Revision Commission shall incorporate the same in the Code.
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12 SECTION 11. SEVERABILITY. If any provision of this Act or the
13 application thereof to any person or circumstance is held invalid, such
14 invalidity shall not affect other provisions or applications of the Act which
15 can be given effect without the invalid provision or application, and to this
16 end the provisions of this Act are declared to be severable.
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18 SECTION 12. GENERAL REPEALER. All laws and parts of laws in conflict
19 with this Act are hereby repealed.
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21 SECTION 13. EMERGENCY CLAUSE. It is hereby found and determined by
22 the Eightieth General Assembly, that in order for the Department of Health to
23 become more efficient in accounting and budgetary practices due to the
24 transfer of the Bureau of Alcohol and Drug Abuse Prevention, changes in
25 various funds are needed; and that the provisions of this Act provide such
26 changes. Therefore, an emergency is hereby declared to exist and this Act
27 being necessary for the immediate preservation of the public peace, health
28 and safety shall be in full force and effect from and after July 1, 1995.
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/s/Russ

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