

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999

# A Bill

HOUSE BILL 1586

4  
5 By: Representative Broadway  
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## For An Act To Be Entitled

8  
9 "AN ACT TO CREATE A DEPARTMENT OF STATE RESIDENTIAL  
10 FACILITIES FOR INDIVIDUALS WITH DEVELOPMENTAL  
11 DISABILITIES BY TRANSFERRING PORTIONS OF THE  
12 DEPARTMENT OF HUMAN SERVICES TO A NEWLY CREATED  
13 DEPARTMENT OF STATE RESIDENTIAL FACILITIES FOR  
14 INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES; AND FOR  
15 OTHER PURPOSES. "

## Subtitle

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18 "AN ACT TO CREATE A DEPARTMENT OF STATE  
19 RESIDENTIAL FACILITIES FOR INDIVIDUALS  
20 WITH DEVELOPMENTAL DISABILITIES. "

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

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25 SECTION 1. Effective July 1, 1999, there is created a Department of  
26 State Residential Facilities for Individuals with Developmental Disabilities.

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28 SECTION 2. The purpose of the Department of State Residential  
29 Facilities for Individuals with Developmental Disabilities is to deliver state  
30 institutional programs and services to residents of the state of Arkansas with  
31 developmental disabilities.

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33 SECTION 3. (a) Starting July 1, 1999, the portions of the Division of  
34 Developmental Disabilities Services, Department of Human Services, which  
35 operate and provide services and support to the state-operated human  
36 development centers shall be removed from the Department of Human Services

1 and shall be transferred to the Department of State Residential Facilities for  
2 Individuals with Developmental Disabilities by a Type 2 transfer as provided  
3 in Arkansas Code 25-2-105.

4 (b) The transfer of services and support shall be completed by January  
5 1, 2000.

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7 SECTION 4. (a) The executive head of the department shall be the  
8 Director of the Department of State Residential Facilities for Individuals  
9 with Developmental Disabilities.

10 (b) The director shall be appointed by the Governor with the advice of  
11 the Board of Developmental Disabilities Services and the consent of the  
12 Senate, and shall serve at the pleasure of the Governor.

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14 SECTION 5. (a) The state institutions and operation of the state  
15 institutional program currently under the jurisdiction of the Board of  
16 Developmental Disabilities Services, as provided by law, shall remain under  
17 the board's jurisdiction.

18 (b) The board shall perform its respective functions and duties under  
19 the general guidelines and standards promulgated by the director of the  
20 department.

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22 SECTION 6. (a) Any and all appropriations for the Division of  
23 Developmental Disabilities Services of the Department of Human Services for  
24 the fiscal year 1999, plus any additional legislative appropriation for the  
25 1999-2000 biennium for the Division of Developmental Disabilities Services  
26 that are designated for the operation of the human developmental centers,  
27 shall be deemed to be appropriated to and shall be made available for the  
28 operation and maintenance of the Department of State Residential Facilities  
29 for Individuals with Developmental Disabilities.

30 (b) The Director of the Department of Finance and Administration shall  
31 transfer to the Department of State Residential Facilities for Individuals  
32 with Developmental Disabilities all appropriations and funds from any other  
33 source in the custody and control of the Department of Human Services which  
34 are designated for the operation of the human development centers.

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36 SECTION 7. (a) Starting on July 1, 1999, any and all other powers,

1 positions, duties, functions, records, property and funds administered or  
2 provided by other support divisions within the Department of Human Services  
3 for the operation of human development centers shall be transferred to the  
4 Department of State Residential Facilities for Individuals with Developmental  
5 Disabilities by a Type 2 transfer as provided in Arkansas Code 25-2-105.

6 (b) The transfer of these powers, positions, duties, functions, records,  
7 property and funds shall be completed by January 1, 2000.

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9 SECTION 8. All provisions of this act of a general and permanent nature  
10 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
11 Revision Commission shall incorporate the same in the Code.

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13 SECTION 9. If any provision of this act or the application thereof to  
14 any person or circumstance is held invalid, such invalidity shall not affect  
15 other provisions or applications of the act which can be given effect without  
16 the invalid provision or application, and to this end the provisions of this  
17 act are declared to be severable.

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19 SECTION 10. All laws and parts of laws in conflict with this act are  
20 hereby repealed.

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