

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.

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007

A Bill

HOUSE BILL 1427

4
5 By: Representatives Thyer, Petrus
6 By: Senators Womack, Critcher

For An Act To Be Entitled

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8
9
10 AN ACT TO ESTABLISH THE "ARKANSAS COMMUNITY
11 ASSISTANCE ACT OF 2007"; TO CREATE THE ARKANSAS
12 COMMUNITY ASSISTANCE COMMISSION; AND FOR OTHER
13 PURPOSES.

Subtitle

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15
16 AN ACT TO ESTABLISH THE "ARKANSAS
17 COMMUNITY ASSISTANCE ACT OF 2007" AND TO
18 CREATE THE ARKANSAS COMMUNITY ASSISTANCE
19 COMMISSION.

20
21
22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

23
24 SECTION 1. Arkansas Code Title 15 is amended to add an additional
25 chapter to read as follows:

26 15-13-101. Title.

27 This chapter shall be known and may be cited as the "Arkansas Community
28 Assistance Act of 2007".

29
30 15-13-102. Purpose.

31 The purpose of this chapter is to improve services to the citizens of
32 this state and to assist the development of local communities through a
33 program of state grants to cities, counties, state institutions, state
34 agencies, and other entities that provide services to the citizens of this
35 state.



15-13-103. Arkansas Community Assistance Commission.

(a) There is established the Arkansas Community Assistance Commission, which shall consist of eight (8) members.

(b)(1) The members of the commission shall each be appointed for a term of two (2) years as follows:

(A)(i) Four (4) members shall be appointed by the President Pro Tempore of the Senate.

(ii) In making the appointments, the President Pro Tempore shall appoint one (1) member from each of the four (4) congressional districts of the state; and

(B)(i) Four (4) members shall be appointed by the Speaker of the House of Representatives.

(ii) In making the appointments, the Speaker of the House of Representatives shall appoint one (1) member from each of the four (4) congressional districts of the state.

(2) If there is a vacancy on the commission due to death, resignation, or other reason, the vacancy shall be filled for the unexpired portion of the term by appointment by the officer who made the initial appointment, and the appointee shall meet the same qualifications required for initial appointment.

(3) Members of the commission are eligible for reappointment.

(c)(1) The Speaker of the House of Representatives and the President Pro Tempore of the Senate shall jointly establish the time and place of the organizational meeting of the commission, which will be held in each odd numbered year.

(2) At the organizational meeting the commission members shall select by majority vote one (1) of its members to serve as chair and one (1) of its members to serve as vice chair.

(d) Members of the commission shall serve without compensation. However, if funds are appropriated for such purposes, the members may receive expense reimbursement in accordance with § 25-16-902 and a stipend if authorized by law.

15-13-104. Arkansas Community Assistance Commission - Functions, powers, and duties.

(a) The Arkansas Community Assistance Commission shall receive and

1 evaluate applications for grants, and the commission shall make grant awards
 2 pursuant to this chapter.

3 (b) The commission may prescribe and issue, pursuant to the Arkansas
 4 Administrative Procedure Act, § 25-15-201 et seq., such reasonable rules and
 5 regulations as may be necessary to carry out the provisions of this chapter.

6 (c) The commission shall prepare and submit biennially to the
 7 Legislative Council by October 15 in even numbered years a comprehensive
 8 report concerning the grants awarded by the commission, any recommendations
 9 for legislative proposals, and other pertinent information that, in the
 10 opinion of the commission, will indicate the activities conducted by the
 11 commission in the previous biennium.

12 (d) Staff support for the commission shall be provided by the
 13 Department of Finance and Administration.

14
 15 15-13-105. Grant applications.

16 (a)(1) A grant application may be filed by the governing body of an
 17 entity seeking the grant or, with the consent of the entity, may be filed on
 18 the entity's behalf by an elected city official, county official, district
 19 official, or state official.

20 (2) A state agency or state institution cannot file a grant
 21 application but a grant application to benefit a state agency or state
 22 institution may be filed by an elected state official or by a member of the
 23 General Assembly.

24 (b) A grant application must be filed in odd numbered years by March
 25 10. If the deadline occurs on a Saturday, Sunday, or legal holiday, the
 26 deadline shall be the next day that is not a Saturday, Sunday, or legal
 27 holiday.

28 (c) A grant application shall:

- 29 (1) State the purpose of the project;
- 30 (2) Provide a written plan outlining the details of the project;
- 31 (3) Demonstrate the entity's need for assistance;
- 32 (4) Express the state purpose being furthered by the project;
- 33 (5) Provide evidence of local support for the project; and
- 34 (6) State the name of the person or persons who will administer
 35 the funds if the grant is approved.

36 (d) A grant application must be for:

1 (1) One (1) of the following types of projects which are
2 recognized by the General Assembly as having state purposes:

3 (A) City Improvements;

4 (B) Assistance to colleges or other educational
5 institutions;

6 (C) County Improvements;

7 (D) Assistance to fair associations;

8 (E) Assistance to fire departments;

9 (F) Assistance to health centers or hospitals;

10 (G) Assistance to libraries;

11 (H) Assistance to museums; or

12 (I) Assistance to state agencies; or

13 (2) A project that is not listed in subdivision (d)(1) but the
14 Arkansas Community Assistance Commission determines that the grant
15 application serves a state purpose.

16
17 15-13-106. Award of grants.

18 (a) The Arkansas Community Assistance Commission is authorized to make
19 grants to eligible entities from funds provided by the General Assembly for
20 grants under this chapter.

21 (b) The commission shall meet and shall begin review of grant
22 applications by April 1 of each odd-numbered year. The commission must
23 complete the awarding of grants no later than April 10 of each odd-numbered
24 year.

25 (c) In selecting recipients of grants the commission shall:

26 (1) Consider the entity's need for assistance and the benefit to
27 the community; and

28 (2) Seek to provide a fair distribution of grants throughout the
29 state.

30 (d) The commission shall not require the entity to provide matching
31 funds as a condition for approval of a grant application, but a grant
32 recipient is not prohibited from using additional grants, donations, or other
33 funds in conjunction with a grant.

34
35 15-13-107. Disbursement of funds.

36 (a) The Chief Fiscal Officer of the State or his or her designee shall

1 be the disbursing officer for the grants.

2 (b)(1) Disbursements of funds shall be made beginning on October 1 of
3 odd numbered years and shall be made quarterly thereafter.

4 (2) The Arkansas Community Assistance Commission shall meet as
5 necessary to monitor grants and the disbursement of funds.

6 (c)(1) Disbursement of grant funds shall be made only upon
7 documentation to the Chief Fiscal Officer of the State in such a form as
8 deemed necessary by the Chief Fiscal Officer of the State.

9 (2) The Chief Fiscal Officer of the State shall disburse grant
10 funds to each project for which a grant was awarded in an amount in the
11 proportion that each project's grant bears to the total of the allocations of
12 all grants awarded by the commission.

13
14 15-13-108. Expenditure of grant funds.

15 (a) Grant funds shall be used only for the purposes for which the
16 funds were awarded.

17 (b)(1) All projects must be completed within twenty four (24) months
18 after the date of the grant award unless the commission allows the grant
19 recipient an extension to complete the project.

20 (2) If a grant recipient does not expend all grant funds
21 received, the grant recipient shall remit the unexpended balance to the state
22 for deposit in the fund from which the grant was made.

23 (c) All expenditures of the grant funds by the grant recipient,
24 including invoices, shall remain on file for three (3) years or until
25 audited, whichever is later.

26
27 15-13-109. Audit requirement.

28 A recipient of a grant:

29 (1) May be required to file a compliance audit; and

30 (2) Is subject to an audit by the Division of Legislative Audit in
31 order to determine that the use of the funds was in compliance with the
32 intent and purposes of this subchapter.

33
34 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
35 General Assembly of the State of Arkansas that many communities need state
36 assistance to improve services to citizens and to develop and improve the

1 community; that this act establishes the Arkansas Community Assistance
2 Commission which will administer a program to assist cities, counties, state
3 institutions, state agencies, and other entities that provide services to the
4 citizens of this state; and that this act is immediately necessary in order
5 for the commission to organize and begin its work of evaluating grant
6 applications to be funded. Therefore, an emergency is declared to exist and
7 this act being necessary for the preservation of the public peace, health,
8 and safety shall become effective on:

9 (1) The date of its approval by the Governor;

10 (2) If the bill is neither approved nor vetoed by the Governor,
11 the expiration of the period of time during which the Governor may veto the
12 bill; or

13 (3) If the bill is vetoed by the Governor and the veto is
14 overridden, the date the last house overrides the veto.

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