

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

SENATE BILL 977

4
5 By: Senator B. Pritchard
6
7

For An Act To Be Entitled

8
9 AN ACT TO PROVIDE FUNDING FOR ARKANSAS DRUG
10 COURTS; TO AMEND SECTIONS OF THE ARKANSAS CODE
11 RESULTING FROM INITIATED ACT 1 OF 2000; AND FOR
12 OTHER PURPOSES.
13

Subtitle

14
15 AN ACT TO PROVIDE FUNDING FOR ARKANSAS
16 DRUG COURTS AND TO AMEND SECTIONS OF THE
17 ARKANSAS CODE RESULTING FROM INITIATED
18 ACT 1 OF 2000.
19
20

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

23 SECTION 1. Arkansas Code § 19-12-102(13), concerning the definition of
24 the Medicaid Expansion Program Account, resulting from Initiated Act 1 of
25 2000, is amended to read as follows:

26 (13) "Medicaid Expansion Program Account" shall mean the account
27 by that name created pursuant to § 19-12-112 to be funded from the Tobacco
28 Settlement Program Fund ~~and used by the Arkansas Department of Human Services~~
29 ~~for the purposes set forth in this chapter.~~
30

31 SECTION 2. Arkansas Code § 19-12-112(a), resulting from Initiated Act
32 1 of 2000 and concerning creation of the Medicaid Expansion Program Account,
33 is amended to read as follows:

34 (a)(1) There is hereby created a trust fund on the books of the
35 Treasurer of State, Auditor of State, and Chief Fiscal Officer of the State,
36 within the Tobacco Settlement Program Fund maintained by the State Board of



1 Finance, an account to be known as the Medicaid Expansion Program Account.

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

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

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

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

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

14
 15 SECTION 3. Arkansas Code § 19-12-119, resulting from Initiated Act 1
 16 of 2000, is amended to read as follows:

17 19-12-119. Use of funds for the Medicaid Expansion Program Account.

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

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

26
 27 SECTION 4. Arkansas Code § 19-5-1121, resulting from Initiated Act 1
 28 of 2000, is amended to read as follows:

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

32 (2) The fund shall be used ~~by the:~~

33 (A) By the Department of Health and Human Services for
 34 those purposes as set out in § 19-12-112; and

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

1
2 SECTION 5. Arkansas Code Title 19, Chapter 5, Subchapter 12 is amended
3 to add a new section as follows:

4 19-5-1230. Arkansas Drug Court Fund.

5 (a) There is created on the books of the Treasurer of State, the
6 Auditor of State, and the Chief Fiscal Officer of the State a fund to be
7 known as the "Arkansas Drug Court Fund ".

8 (b) The fund shall consist of any revenues as may be authorized by
9 law.

10 (c) The funds transferred to the Community Health Centers of Arkansas
11 Fund shall be distributed by the Disbursing Officer of the Department of
12 Finance and Administration to be used for expanded operations of drug courts.

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14 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the
15 General Assembly of the State of Arkansas that many Arkansans are in need of
16 treatment for dependency on controlled substances; that Arkansas drug courts
17 assist drug-dependent citizens by diverting them from criminal penalties into
18 treatment programs; that the funding for drug treatment programs lags behind
19 the number of cases, leaving individuals and their families without the
20 treatment they need; that this act will permit the use of available funds for
21 those services; and that this act is necessary in order to provide needed
22 funding for the next fiscal biennium. Therefore, an emergency is declared to
23 exist, and this act being necessary for the preservation of the public peace,
24 health, and safety shall become effective on July 1, 2007.