

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 87th General Assembly
3 Regular Session, 2009
4

As Engrossed: H3/16/09

A Bill

HOUSE BILL 2066

5 By: Representative Abernathy
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For An Act To Be Entitled

9 AN ACT TO PROVIDE FOR THE TIMELY AND ACCURATE
10 RECEIPT OF DATA NEEDED TO CALCULATE AND ADJUST
11 FOUNDATION FUNDING AMOUNTS DISTRIBUTED TO PUBLIC
12 SCHOOL DISTRICTS; AND FOR OTHER PURPOSES
13

Subtitle

15 TO PROVIDE FOR THE TIMELY AND ACCURATE
16 RECEIPT OF DATA NEEDED TO CALCULATE AND
17 ADJUST FOUNDATION FUNDING AMOUNTS
18 DISTRIBUTED TO PUBLIC SCHOOL DISTRICTS.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 *SECTION 1. Arkansas Code § 6-20-2305(a)(4) concerning the foundation*
24 *aid calculation is amended to add the following subdivisions:*

25 *(C)(i) Data to verify the timely receipt of revenues*
26 *applicable to the required ninety-eight percent (98%) of the uniform rate of*
27 *tax multiplied by the property assessment of the school district shall be*
28 *collected annually by the Department of Education in cooperation with the*
29 *Assessment Coordination Department.*

30 *(ii)(a) Data may be appropriately adjusted by the*
31 *Department of Education if it is determined that irregular distributions by a*
32 *county treasurer of excess commissions cause a school district's property tax*
33 *collection rate from the uniform rate of tax to exceed ninety-eight percent*
34 *(98%).*

35 *(b) The Department of Education may adjust the*
36 *uniform rate of tax from an irregular distribution to an amount not in excess*



1 of ninety-eight percent (98%) and apply the excess distribution amount the
2 following school year.

3 (iii) Evidence of irregular distributions shall be
4 in the form required by the Department of Education.

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6 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
7 General Assembly of the State of Arkansas that accurate information is
8 required to determine the correct funding for school districts; that
9 variances in the distribution of excess commission payments to school
10 districts can cause aberrations in revenue levels; and that this act is
11 immediately necessary to ensure a school district receives all funds it is
12 entitled to and is not penalized for irregularities in the distribution of
13 excess commission payments. Therefore, an emergency is declared to exist and
14 this act being immediately necessary for the preservation of the public
15 peace, health, and safety shall become effective on:

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

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

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

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24 /s/ Abernathy
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