

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

HOUSE BILL 1322

5 By: Representative Shepherd
6 By: Senator Rapert
7

For An Act To Be Entitled

9 AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 19 OF
10 THE ARKANSAS CODE CONCERNING PUBLIC FINANCE; AND FOR
11 OTHER PURPOSES.
12
13

Subtitle

15 TO MAKE TECHNICAL CORRECTIONS TO TITLE 19
16 OF THE ARKANSAS CODE CONCERNING PUBLIC
17 FINANCE.
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19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 19-3-506(b)(3), concerning the use of
23 internal controls by the Treasurer of State as the custodian of moneys and
24 securities, is amended to read as follows to correct and clarify references:

25 (3) With respect to State Treasury funds or other public funds,
26 notify ~~the Division of Legislative Audit~~ Arkansas Legislative Audit of all
27 known fraud or suspected fraud or all known or suspected illegal acts
28 involving the management or other employees of the Treasurer of State, the
29 ~~board~~ State Board of Finance, a bank depository, an investment depository, or
30 a securities broker;
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32 SECTION 2. Arkansas Code § 19-5-915 is repealed because the program
33 that the fund was created to support has been repealed.

34 ~~19-5-915. United States Olympic Committee Program Trust Fund.~~

35 ~~(a) There is established on the books of the Treasurer of State, the~~
36 ~~Auditor of State, and the Chief Fiscal Officer of the State a fund to be~~



1 ~~known as the United States Olympic Committee Program Trust Fund.~~

2 ~~(b) Such fund shall consist of income tax checkoff contributions and~~
 3 ~~any gifts, grants, bequests, devises, and donations, there to be used for the~~
 4 ~~United States Olympic Committee Program as set out in § 26-51-441.~~

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 6 SECTION 3. Arkansas Code § 19-5-1140(c)(2), concerning the use of the
 7 Water Performance Bond Fund, is amended to read as follows to correct a term
 8 for consistency of usage within the section and to conform the term as
 9 otherwise defined in related material in § 8-4-203:

10 (2) Maintain and operate a nonmunicipal domestic sewage
 11 treatment works.

12
 13 SECTION 4. Arkansas Code § 19-5-1142(c)(2)(C), concerning the use of
 14 the Nonmunicipal Domestic Sewage Treatment Works Trust Fund, is amended to
 15 read as follows to correct a term for consistency of usage within the section
 16 and to conform the term as otherwise defined in related material in § 8-4-
 17 203:

18 (C) Maintain and operate a nonmunicipal domestic sewage
 19 treatment works; or

20
 21 SECTION 5. Arkansas Code § 19-6-487 is repealed because the entity
 22 that the fund was created to support has been repealed.

23 ~~19-6-487. Health Adequacy Committee Fund.~~

24 ~~(a) There is created on the books of the Treasurer of State, the~~
 25 ~~Auditor of State, and the Chief Fiscal Officer of the State a special revenue~~
 26 ~~fund to be known as the "Health Adequacy Committee Fund".~~

27 ~~(b)(1) All moneys collected under § 20-36-104 shall be deposited into~~
 28 ~~the State Treasury to the credit of the fund as special revenues.~~

29 ~~(2) The fund shall also consist of any other revenues as may be~~
 30 ~~authorized by law.~~

31 ~~(c) The fund shall be used by the Legislative Health Adequacy~~
 32 ~~Committee for the purposes set out in § 20-36-104.~~

33
 34 SECTION 6. Arkansas Code § 19-6-828 is amended to read as follows to
 35 correct the bifurcation of a fund by combining the revenue source of the fund
 36 with its other substantive provisions that were codified in Title 27:

1 19-6-828. State Aid Street Fund.

2 ~~The State Aid Street Fund shall consist of one cent (1¢) per gallon tax~~
 3 ~~from revenue distributed under the Arkansas Highway Revenue Distribution Law~~
 4 ~~§ 27-70-201 et seq., from the proceeds derived from existing motor fuel taxes~~
 5 ~~and distillate fuel taxes, there to be used for construction, reconstruction,~~
 6 ~~and improvements of the state aid street system and apportioned to~~
 7 ~~municipalities as prescribed in § 27-72-413.~~

8 (a) There is created on the books of the Treasurer of State, the
 9 Auditor of State, and the Chief Fiscal Officer of the State a special revenue
 10 fund to be known as the "State Aid Street Fund".

11 (b) The fund shall consist of one cent (1¢) per gallon tax from
 12 revenue distributed under the Arkansas Highway Revenue Distribution Law, §
 13 27-70-201 et seq., from the proceeds derived from existing motor fuel taxes
 14 and distillate fuel taxes.

15 (c) The fund shall be used for construction, reconstruction, and
 16 improvements of the state aid street system under the State Aid Streets Law,
 17 § 27-72-401 et seq.

18 (d)(1) All revenues deposited into the fund shall be apportioned to
 19 the municipalities as prescribed in § 27-72-413 for the distribution on the
 20 state aid street system among the various municipalities.

21 (2) The apportioned funds shall remain for a period of two (2)
 22 years from the date they are apportioned.

23 (3) Any unused funds shall be returned to the fund for
 24 redistribution in accordance with § 27-72-413.

25 (4)(A) For a municipality to receive these funds, the
 26 municipality shall be matched in the ratio of ninety percent (90%) of moneys
 27 from the fund to not less than ten percent (10%) municipal matching funds for
 28 all municipalities with a population in excess of twenty-five thousand
 29 (25,000) residents.

30 (B) For all other municipalities, the state aid street
 31 system shall be funded at one hundred percent (100%), and all municipalities
 32 receiving moneys from the fund shall comply with the State Aid Streets Law, §
 33 27-72-401 et seq.

34
 35 SECTION 7. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

36 It is the intent of the General Assembly that:

1 (1) The enactment and adoption of this act shall not expressly
2 or impliedly repeal an act passed during the regular session of the Ninety-
3 First General Assembly;

4 (2) To the extent that a conflict exists between an act of the
5 regular session of the Ninety-First General Assembly and this act:

6 (A) The act of the regular session of the Ninety-First
7 General Assembly shall be treated as a subsequent act passed by the General
8 Assembly for the purpose of:

9 (i) Giving the act of the regular session of the
10 Ninety-First General Assembly its full force and effect; and

11 (ii) Amending or repealing the appropriate parts of
12 the Arkansas Code of 1987; and

13 (B) Section 1-2-107 shall not apply; and

14 (3) This act shall make only technical, not substantive, changes
15 to the Arkansas Code of 1987.

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