

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4

# A Bill

HOUSE BILL 1341

5 By: Representative Cavenaugh  
6 By: Senator B. Ballinger  
7

## For An Act To Be Entitled

9 AN ACT CONCERNING STATE ACCOUNTING AND BUDGETARY  
10 PROCEDURES; TO AMEND THE LAW CONCERNING STATE AGENCY  
11 OPERATIONS PLANS; TO AMEND THE LAW CONCERNING THE  
12 EXPENDITURE OF CASH FUNDS; AND FOR OTHER PURPOSES.  
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## Subtitle

15 CONCERNING STATE ACCOUNTING AND BUDGETARY  
16 PROCEDURES; TO AMEND THE LAW CONCERNING  
17 STATE AGENCY OPERATIONS PLANS; AND TO  
18 AMEND THE LAW CONCERNING THE EXPENDITURE  
19 OF CASH FUNDS.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. Arkansas Code § 19-4-607(a), concerning the review and  
26 approval of annual operations plans, is amended to read as follows:

27 (a) Each state agency, ~~other than~~ the elected constitutional officers,  
28 the legislative branch and its staff offices, the judicial branch and its  
29 staff offices, the Arkansas Department of Transportation, the Office of the  
30 Arkansas Lottery, ~~the state-supported institutions of higher education,~~ and  
31 the Arkansas State Game and Fish Commission shall prepare an annual  
32 operations plan for the operation of each of its assigned programs for  
33 submission to the Chief Fiscal Officer of the State.  
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35 SECTION 2. Arkansas Code § 19-4-607(d), concerning the review and  
36 approval of annual operations plans, is amended to read as follows:



1 (d) ~~The~~ For each annual operations plan submitted by a state agency  
 2 other than the elected constitutional officers, the legislative branch and  
 3 its staff offices, the judicial branch and its staff offices, the Arkansas  
 4 Department of Transportation, the Office of the Arkansas Lottery, and the  
 5 Arkansas State Game and Fish Commission, the Chief Fiscal Officer of the  
 6 State shall:

7 (1) Review each annual operations plan to determine that:

8 (A) It is consistent with the policy decisions of the  
 9 General Assembly and the Governor;

10 (B) Appropriations and funding have been provided by the  
 11 General Assembly;

12 (C) It reflects proper planning and efficient management  
 13 methods; and

14 (D) Appropriations and funding have been made for the  
 15 planned purpose and will not be exhausted before the end of the fiscal year;  
 16 and

17 (2)(A)(i) Approve the annual operations plan if he or she is  
 18 satisfied that it meets all requirements.

19 (ii) Otherwise, he or she shall require necessary  
 20 revisions of the annual operations plan in whole or in part.

21 (B) However, nothing in this section shall be construed to  
 22 allow the Chief Fiscal Officer of the State to substitute his or her  
 23 individual judgment as to the operation or necessity of any program of any  
 24 state agency for the judgment of the executive head or board or commission  
 25 charged with the responsibility for the operation and control of that agency.  
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27 SECTION 3. Arkansas Code § 19-4-801(2)(B), concerning exclusions from  
 28 the definition of "state agency" for purposes of the laws related to the  
 29 expenditure of cash funds, is amended to read as follows:

30 (B) "State agency" shall not include the:

31 (i) ~~Governor;~~

32 ~~(ii) Secretary of State;~~

33 ~~(iii) Attorney General;~~

34 ~~(iv) Treasurer of State;~~

35 ~~(v) Auditor of State;~~

36 ~~(vi) Commissioner of State Lands;~~

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- ~~(vii) Supreme Court and its justices;~~
- ~~(viii) Circuit courts and circuit judges;~~
- ~~(ix)(ii) Prosecuting attorneys; and~~
- ~~(x) Arkansas State Game and Fish Commission;~~
- ~~(xi) Arkansas Department of Transportation;~~
- ~~(xii)(a)(iii)(a) Office of the Arkansas Lottery.~~

(b) However, the office shall be considered a state agency for the purposes of § 19-4-810 et seq.†

- ~~(xiii) General Assembly; and~~
- ~~(xiv) Respective staffs of the officers and agencies listed in this subdivision (2)(B).~~