

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

# A Bill

HOUSE BILL 1214

5 By: Representative Wardlaw  
6

## For An Act To Be Entitled

8 AN ACT TO AMEND THE ARKANSAS EMERGENCY SERVICES ACT  
9 OF 1973 CONCERNING FUNDING; AND FOR OTHER PURPOSES.  
10

### Subtitle

11 TO AMEND THE ARKANSAS EMERGENCY SERVICES  
12 ACT OF 1973 CONCERNING FUNDING.  
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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19 SECTION 1. Arkansas Code § 12-75-114(c), concerning the disaster  
20 emergency responsibilities of the Governor, is amended to read as follows:

21 (c)(1) There is created within the office of the Governor a disaster  
22 response and recovery fund, ~~a disaster recovery fund, a catastrophic loss~~  
23 ~~fund,~~ and a hazard mitigation fund, which ~~shall be~~ are separate and apart  
24 from the Governor's standard emergency fund.

25 (2) The ~~initial~~ amount of the disaster response and recovery  
26 fund shall be ~~in the amount of two million dollars (\$2,000,000), solely ten~~  
27 million two hundred fifty thousand dollars (\$10,250,000) for use to defray  
28 the cost of immediate emergency response.

29 ~~(3) The disaster recovery fund shall be in the amount of five~~  
30 ~~million dollars (\$5,000,000), with:~~

31 ~~(A) The sum of two million dollars (\$2,000,000) from the~~  
32 ~~disaster recovery fund solely for use in individual assistance; and~~

33 ~~(B) The sum of three million dollars (\$3,000,000) from the~~  
34 ~~disaster recovery fund solely for use in public assistance.~~

35 ~~(4)~~ (3) The amount of the hazard mitigation fund shall be ~~in the~~  
36 ~~amount of three million dollars (\$3,000,000)~~ six million dollars



1 (\$6,000,000), solely for use in hazard mitigation assistance.

2 ~~(5) The sum of three million two hundred fifty thousand dollars~~  
 3 ~~(\$3,250,000) from the catastrophic loss fund solely for use in catastrophic~~  
 4 ~~losses suffered by both individuals and public entities.~~

5 ~~(6)~~(4) The Governor's disaster response and recovery fund may be  
 6 increased from time to time at the discretion of the Governor.

7 ~~(7)~~(5) Expenditures from the ~~individual assistance and public~~  
 8 ~~assistance funds~~ disaster response and recovery fund may only be made in the  
 9 event of a disaster as defined in § 12-75-103 and only upon proclamation by  
 10 the Governor.

11 ~~(8)~~(6) Expenditures from the ~~emergency~~ disaster response and  
 12 recovery fund shall be made by executive order of the Governor, upon  
 13 recommendation and verification by the Director of the Division of Emergency  
 14 Management, and may only be made to defray immediate costs associated with  
 15 response activities by emergency forces of state and local governments and  
 16 private nonprofit forces duly registered in accordance with § 12-75-129.

17 ~~(9)~~(7)(A) Expenditures from the hazard mitigation fund shall be  
 18 made by executive order of the Governor.

19 (B) The director shall establish and maintain a current  
 20 hazard vulnerability analysis of key critical public facilities eligible for  
 21 assistance under the Governor's hazard mitigation fund.

22 ~~(10)(A) Expenditures from the catastrophic loss fund may only be~~  
 23 ~~made in the event of a federally declared disaster, as well as a disaster as~~  
 24 ~~defined in § 12-75-103, and only upon a separate proclamation by the Governor~~  
 25 ~~that a disaster has occurred in which catastrophic losses have been suffered~~  
 26 ~~by individuals or public entities in the state, or both.~~

27 ~~(B) The director shall establish and maintain such~~  
 28 ~~criteria as are necessary to administer the funds authorized for catastrophic~~  
 29 ~~loss.~~

30  
 31 SECTION 2. Arkansas Code § 19-5-1006(b), concerning the disaster  
 32 assistance fund, is amended to read as follows:

33 (b) The Disaster Assistance Fund shall consist of moneys received from  
 34 the Budget Stabilization Trust Fund in such amounts as may be required to  
 35 provide state moneys for each declared emergency or major disaster as  
 36 required by the Arkansas Emergency Services Act of 1973, § 12-75-101 et seq.,

1 but not to exceed in the aggregate the sum of ~~thirteen million two hundred~~  
2 ~~fifty thousand dollars (\$13,250,000)~~ sixteen million two hundred fifty  
3 thousand dollars (\$16,250,000) per fiscal year.

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