

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

As Engrossed: H2/24/21

# A Bill

HOUSE BILL 1223

5 By: Representatives Underwood, *Beaty Jr.*, *Bryant*, *Carr*, *Fortner*, *Haak*, *McCollum*, *Tollett*  
6 By: Senator Hester  
7

## For An Act To Be Entitled

9 AN ACT TO WITHHOLD TURNBACK FUNDS TO CITIES OF THE  
10 FIRST CLASS THAT DEFUND THE POLICE DEPARTMENT; AND  
11 FOR OTHER PURPOSES.  
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13

## Subtitle

14 THE BACK THE BLUE ACT.  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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20 SECTION 1. Arkansas Code Title 14, Chapter 52, Subchapter 1, is  
21 amended to add an additional section to read as follows:

22 14-52-114. Funding protection.

23 (a)(1) As used in this section, "defunding municipality" means a city  
24 of the first class that:

25 (A) Abolishes or disbands the city police department  
26 without reconstituting the city police department or entering into an  
27 interlocal agreement with another entity to provide the services of a city  
28 police department; or

29 (B) Reduces the annual budget of the city police  
30 department by twenty-five percent (25%) or more without reallocating the  
31 funds to a public safety and law enforcement program provided by the city or  
32 by another entity through an interlocal agreement for the purposes under §  
33 14-52-101.

34 (2) As used in this section, "defunding municipality" does not  
35 mean a city of the first class that decreases the budget of the city police  
36 department by twenty-five percent (25%) or more as a result of an annual



1 operating budget decrease due to an overall decrease in tax collection or  
2 other funding source within the city.

3 (b) A defunding municipality is not eligible for revenues allocated  
4 and distributed to the defunding municipality under § 19-5-601.

5 (c) A defunding municipality may petition the Legislative Council or,  
6 if the General Assembly is in session, the Joint Budget Committee for a  
7 waiver of the application of subsection (b) of this section.

8 (d) This section does not apply to:

9 (1) A tax that existed on January 1, 2021, that funds a city  
10 police department budget and subsequently is not extended by the voters in  
11 the city; or

12 (2) A temporary capital improvement project for a city police  
13 department.

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15 /s/Underwood  
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