

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

A Bill

SENATE BILL 363

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF
9 COMMERCE - ARKANSAS ECONOMIC DEVELOPMENT COMMISSION
10 FOR CAPITAL IMPROVEMENT PROJECTS, GRANTS AND
11 PROGRAMS; AND FOR OTHER PURPOSES.
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Subtitle

14 AN ACT FOR THE DEPARTMENT OF COMMERCE -
15 ARKANSAS ECONOMIC DEVELOPMENT COMMISSION
16 DEVELOPMENT AND ENHANCEMENT
17 APPROPRIATION.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. APPROPRIATION - CAPITAL IMPROVEMENT PROJECTS. There is
24 hereby appropriated, to the Department of Commerce - Arkansas Economic
25 Development Commission, to be payable from the Development and Enhancement
26 Fund, the following:

27 (A) for a transfer to the Economic Development Incentive Quick Action
28 Closing Fund, for incentives to attract new business and economic development
29 to the state, in a sum not to exceed\$75,000,000.

30 (B) for the purpose of providing grants and/or loans to state agencies,
31 cities, counties, community-based non-profit organizations and other entities
32 determined by the Department of Commerce - Arkansas Economic Development
33 Commission to be eligible to: (1) undertake public works projects and/or job
34 training efforts which support private sector job creation opportunities; (2)
35 alleviate conditions which constitute a threat to public health and
36 wellbeing; (3) partially defray the cost of providing access to publicly



1 owned industrial parks, and/or technology parks; (4) provide for the
 2 expansion of the aircraft and aerospace industry; (5) provide for port, rail
 3 and waterway economic development projects; (6) provide for technology based
 4 economic development projects; (7) provide for industrial site development
 5 costs (including, but not limited to land acquisition, construction,
 6 renovation, and equipment acquisition); (8) provide for development of
 7 intermodal facilities (including, but not limited to port and/or waterway
 8 projects, rail spur construction and/or road and highway improvement); (9)
 9 pay the costs of environmental mitigation projects; (10) provide for
 10 construction and/or improvement of water and sewer systems, in a sum not to
 11 exceed\$30,000,000.

12 (C) for funding for an investment in Arkansas’s workforce through
 13 training incentives for companies located in Arkansas to upgrade skills of
 14 their existing workforce, or for a potential new workforce, and to build
 15 capacity within Arkansas to supply on-going training needs of Arkansas
 16 companies and to increase participation in the State’s school-to-work
 17 initiatives, in a sum not to exceed\$3,000,000.

18 (D) for funding for grants and/or loans to state agencies, cities,
 19 counties, community-based non-profit organizations and other eligible
 20 entities to support economic stimulus activities throughout the state, in a
 21 sum not to exceed\$15,000,000.

22 (E) for community improvement grants for equipment, repair,
 23 maintenance, construction, renovation, improvement and upgrade of public
 24 buildings and facilities, in a sum not to exceed\$5,000,000.

25 (F) for Public Safety Grants to eligible entities for personal
 26 services, operating expenses, equipment, maintenance, repair and upgrade
 27 associated with the provision of fire protection, search and rescue, security
 28 enhancement, telecommunications, emergency medical service, and disaster
 29 relief and recovery, in a sum not to exceed\$10,000,000.

30 (G) for vital infrastructure needs, programs, grants, and/or loans for
 31 public buildings, water treatment systems, environmental concerns, energy
 32 needs, telecommunications, sewer systems, and cost-effective energy efficient
 33 improvements and technologies, in a sum not to exceed\$22,000,000.

34 (H) for grant matching funds and/or loans to state agencies, cities,
 35 counties, community-based non-profit organizations and other eligible
 36 entities applying for consideration with a grant funder that requires

1 matching funds for projects, to maximize contributions, provide cash
2 assistance, or match contributions to ensure grant funding or contract, in a
3 sum not to exceed\$10,000,000.

4 (I) for grants and/or loans to state agencies, community-based non-
5 profit organizations, fire departments, counties, municipalities or
6 subdivisions thereof, or other eligible entities for operating, construction,
7 improvements, equipment, renovation, and/or maintenance expenses associated
8 with public buildings, public lands, community centers, memorials, parks,
9 amphitheatres, museums, recreation centers, fire protection, law enforcement,
10 libraries, senior centers, and cemeteries, in a sum not to exceed
11\$30,000,000.

12 (J) for payments on bonds issued for economic development projects
13 authorized under Amendment 82 to the Constitution of the State of Arkansas of
14 1874, in a sum not to exceed\$7,000,000.

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16 SECTION 2. APPROPRIATION - ECONOMIC DEVELOPMENT INCENTIVE PROGRAM -
17 CREATE REBATE. There is hereby appropriated, to the Department of Commerce -
18 Arkansas Economic Development Commission, to be payable from the Economic
19 Development Incentive Fund of the Arkansas Economic Development Commission,
20 the following:

21 (A) for financial incentives to companies locating a new facility or
22 expanding an existing facility with the State of Arkansas and for companies
23 that hire and maintain specified levels of employment, as identified in
24 signed financial agreements with the Department of Commerce - Arkansas
25 Economic Development Commission, in a sum not to exceed\$37,500,000.
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27 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
28 obligations otherwise incurred in relation to the project or projects
29 described herein in excess of the State Treasury funds actually available
30 therefor as provided by law. Provided, however, that institutions and
31 agencies listed herein shall have the authority to accept and use grants and
32 donations including Federal funds, and to use its unobligated cash income or
33 funds, or both available to it, for the purpose of supplementing the State
34 Treasury funds for financing the entire costs of the project or projects
35 enumerated herein. Provided further, that the appropriations and funds
36 otherwise provided by the General Assembly for Maintenance and General

1 Operations of the agency or institutions receiving appropriation herein shall
2 not be used for any of the purposes as appropriated in this act.

3 (B) The restrictions of any applicable provisions of the State
4 Purchasing Law, the General Accounting and Budgetary Procedures Law, the
5 Revenue Stabilization Law and any other applicable fiscal control laws of
6 this State and regulations promulgated by the Department of Finance and
7 Administration, as authorized by law, shall be strictly complied with in
8 disbursement of any funds provided by this act unless specifically provided
9 otherwise by law.

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11 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General
12 Assembly that any funds disbursed under the authority of the appropriations
13 contained in this act shall be in compliance with the stated reasons for
14 which this act was adopted, as evidenced by the Agency Requests, Executive
15 Recommendations and Legislative Recommendations contained in the budget
16 manuals prepared by the Department of Finance and Administration, letters, or
17 summarized oral testimony in the official minutes of the Arkansas Legislative
18 Council or Joint Budget Committee which relate to its passage and adoption.

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20 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General
21 Assembly, that the Constitution of the State of Arkansas prohibits the
22 appropriation of funds for more than a one (1) year period; that the
23 effectiveness of this Act on July 1, 2021 is essential to the operation of
24 the agency for which the appropriations in this Act are provided, and that in
25 the event of an extension of the legislative session, the delay in the
26 effective date of this Act beyond July 1, 2021 could work irreparable harm
27 upon the proper administration and provision of essential governmental
28 programs. Therefore, an emergency is hereby declared to exist and this Act
29 being necessary for the immediate preservation of the public peace, health
30 and safety shall be in full force and effect from and after July 1, 2021.