

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

As Engrossed: S4/15/21

A Bill

SENATE BILL 661

5 By: Senators K. Ingram, Caldwell, B. Johnson, D. Sullivan, D. Wallace, J. Sturch
6 By: Representatives D. Ferguson, Nicks
7

For An Act To Be Entitled

9 AN ACT TO ESTABLISH THE ASPIRE SCHOLARSHIP PROGRAM;
10 TO AMEND THE LAW REGARDING CASINO GAMING AND
11 RESULTING FROM THE ARKANSAS CASINO GAMING AMENDMENT
12 OF 2018, ARKANSAS CONSTITUTION, AMENDMENT 100; TO
13 DIRECT THE DISTRIBUTION OF CERTAIN NET CASINO GAMING
14 RECEIPTS TAX REVENUES; TO DIRECT THE DISTRIBUTION OF
15 CERTAIN NET CASINO GAMING RECEIPTS; AND FOR OTHER
16 PURPOSES.
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Subtitle

19 TO ESTABLISH THE ASPIRE SCHOLARSHIP
20 PROGRAM; TO AMEND THE LAW REGARDING
21 CASINO GAMING; AND TO DIRECT DISTRIBUTION
22 OF CERTAIN NET CASINO GAMING RECEIPTS TAX
23 REVENUES AND NET CASINO GAMING RECEIPTS.
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27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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29 SECTION 1. DO NOT CODIFY. LEGISLATIVE INTENT.

30 (a) The General Assembly finds that:

31 (1) Access to education is key to a youth's future;

32 (2) Ensuring that educational opportunities are available to
33 youths is one of the most important functions of society;

34 (3) Many youths in Arkansas face economic challenges in their
35 pursuit of higher education and need additional support in order to continue
36 their education and meet their future goals;



1 (4) By providing additional scholarship opportunities for youths
2 in Arkansas, the state can help youths achieve a level of education that
3 might otherwise be unavailable;

4 (5) The Arkansas Casino Gaming Amendment of 2018, Arkansas
5 Constitution, Amendment 100, authorized casino gaming in Arkansas and
6 requires certain revenues derived from net casino gaming receipts taxes to be
7 distributed and used only for purses for live horse racing and greyhound
8 racing based upon a specific apportionment;

9 (6) The Arkansas Casino Gaming Amendment of 2018, Arkansas
10 Constitution, Amendment 100, also requires a franchise holder operating a
11 franchise to conduct greyhound racing to set aside certain net casino gaming
12 receipts to be used only for purses for live greyhound racing and capital
13 improvements to the franchise holder's facility;

14 (7) Live greyhound racing will be phased out in Arkansas, which
15 was not addressed in The Arkansas Casino Gaming Amendment of 2018, Arkansas
16 Constitution, Amendment 100;

17 (8) When live greyhound racing ceases, funds required to be used
18 or set aside for certain greyhound racing-related purposes will no longer be
19 used for the purposes intended under The Arkansas Casino Gaming Amendment of
20 2018, Arkansas Constitution, Amendment 100; and

21 (9) Section 3(c) of The Arkansas Casino Gaming Amendment of
22 2018, Arkansas Constitution, Amendment 100, provides that "[t]o fulfill the
23 purposes of this Amendment, the Arkansas General Assembly shall from time to
24 time enact laws...".

25 (b) The purpose of this act is to:

26 (1) Increase the educational opportunities for Arkansas
27 students; and

28 (2) Address the funding directed to live greyhound racing in
29 order to fulfill the purpose of The Arkansas Casino Gaming Amendment of 2018,
30 Arkansas Constitution, Amendment 100, when live greyhound racing ceases.

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32 SECTION 2. DO NOT CODIFY. TEMPORARY LANGUAGE. ASPIRE Scholarship
33 Program.

34 (a)(1) There is established the ASPIRE Scholarship Program to be
35 administered by the Arkansas State University System Foundation, Inc.

36 (2)(A) The President of the Arkansas State University System

1 Foundation, Inc., and the chancellors of Arkansas State University and
2 Arkansas State University Mid-South shall establish criteria to determine who
3 is eligible to receive the scholarships and grants from the ASPIRE
4 Scholarship Program under subdivision (a)(1) of this section.

5 (B) The eligibility criteria established under subdivision
6 (a)(2)(A) of this section shall include without limitation that an individual
7 is:

8 (i) A graduate of a Crittenden County high school;

9 (ii) Admitted to and enrolled at Arkansas State
10 University Mid-South or an associate degree graduate of Arkansas State
11 University Mid-South admitted to and enrolled at Arkansas State University;
12 and

13 (iii) Making satisfactory progress toward a
14 certificate or associate degree at Arkansas State University Mid-South or a
15 baccalaureate degree at Arkansas State University.

16 (3) To be considered as a recipient of an ASPIRE Scholarship
17 under this section, an individual shall submit:

18 (A) An approved application;

19 (B) A high school transcript; and

20 (C) Documentation of application to and enrollment at
21 Arkansas State University or Arkansas State University Mid-South.

22 (b) A scholarship issued to an eligible student under the ASPIRE
23 Scholarship Program shall be a last-dollar scholarship and awarded to the
24 eligible student only after all other financial aid resources have been
25 awarded but while aid is still needed to meet the cost of attendance at
26 Arkansas State University or Arkansas State University Mid-South.

27 (c) The Arkansas State University System Foundation, Inc., may
28 establish criteria to award funding from the ASPIRE Scholarship Program to
29 endow chairs of excellence at Arkansas State University Mid-South.

30 (d)(1) The Arkansas State University System Foundation, Inc., may
31 raise additional funding for the ASPIRE Scholarship Program.

32 (2) If additional funding is raised under subdivision (d)(1) of
33 this section, the Arkansas State University System Foundation, Inc., may use
34 the additional funding to provide scholarships to eligible students at other
35 state-supported four-year colleges or universities in the state under the
36 ASPIRE Scholarship Program.

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2 SECTION 3. DO NOT CODIFY. TEMPORARY LANGUAGE. Contributions to
3 purses.

4 (a) If a franchise holder issued a casino license based upon its
5 holding of a franchise to conduct greyhound racing under the Arkansas
6 Greyhound Racing Law, § 23-111-101 et seq., no longer conducts greyhound
7 racing at its facility, the franchise holder shall remit on a monthly basis
8 for calendar year 2023 the:

9 (1) Fourteen percent (14%) required to be set aside for purses
10 for greyhound racing under § 6 of The Arkansas Casino Gaming Amendment of
11 2018, Arkansas Constitution, Amendment 100, to be distributed as described in
12 subsection (b) of this section; and

13 (2) One percent (1%) required to be paid by the franchise holder
14 to the Arkansas Racing Commission to be used for breeders' awards under § 6
15 of The Arkansas Casino Gaming Amendment of 2018, Arkansas Constitution,
16 Amendment 100, to the Greyhound Breeders of Arkansas, Inc.

17 (b) The moneys remitted under subdivision (a)(1) of this section shall
18 be distributed as follows:

19 (1) Seven hundred fifty thousand dollars (\$750,000) to the
20 Breast Milk Bank Special Fund;

21 (2) Two hundred fifty thousand dollars (\$250,000) to the
22 Division of Elementary and Secondary Education Fund Account; and

23 (3)(A) The remaining moneys to the Arkansas State University
24 System Foundation, Inc.

25 (B) The moneys remitted to the Arkansas State University
26 System Foundation, Inc., under subdivision (b)(3)(A) of this section shall be
27 invested and used solely for the purpose of:

28 (i) Scholarships and grants as provided in the
29 ASPIRE Scholarship Program; and

30 (ii) Funding to endow chairs of excellence at Arkansas
31 State University Mid-South.

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33 SECTION 4. DO NOT CODIFY. TEMPORARY LANGUAGE. Revenues derived by
34 net casino gaming receipts tax.

35 (a) For one (1) calendar year beginning January 1, 2023, the forty
36 percent (40%) of revenues derived by the net casino gaming receipts taxes

1 levied under § 5(d) of The Arkansas Casino Gaming Amendment of 2018, Arkansas
2 Constitution, Amendment 100, for distribution to the franchise holder
3 operating a franchise to conduct greyhound racing shall be distributed as
4 follows:

5 (1) Five million dollars (\$5,000,000) to the cash fund as
6 defined under § 19-4-801 for construction, renovation, maintenance,
7 equipment, personal services, and operating expenses of the Division of
8 Agriculture of the University of Arkansas for the purpose of rice research;
9 and

10 (2) The remaining moneys to the active greyhound breeders in
11 Arkansas under subsection (b) of this section.

12 (b) On or before September 30, 2021, the nonprofit organization known
13 as Greyhound Breeders of Arkansas, Inc., organized under § 501(c)(6) of the
14 Internal Revenue Code of 1986 in August 2012, shall submit to the Arkansas
15 Racing Commission:

16 (1) A document outlining the distribution of the revenues under
17 this section to one (1) or more active greyhound breeders in Arkansas;

18 (2) An affidavit evidencing the affirmative vote of support of
19 the active members of Greyhound Breeders of Arkansas, Inc., for the
20 distribution outlined in the document under subdivision (b)(1) of this
21 section;

22 (3) A list of the names and addresses of each active greyhound
23 breeder receiving a distribution outlined in the document under subdivision
24 (b)(1) of this section; and

25 (4) Proof of membership of each active greyhound breeder
26 receiving a distribution outlined in the document under subdivision (b)(1) of
27 this section in Greyhound Breeders of Arkansas, Inc.

28 (c) Upon receipt of the information under subsection (b) of this
29 section, the commission shall distribute revenues as provided in the document
30 under subdivision (b)(1) of this section for one (1) calendar year beginning
31 January 1, 2023.

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34 /s/K. Ingram
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