

1 State of Arkansas
2 93rd General Assembly
3 Fiscal Session, 2022
4

A Bill

SENATE BILL 84

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
9 IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF
10 COMMERCE - ARKANSAS ECONOMIC DEVELOPMENT COMMISSION;
11 AND FOR OTHER PURPOSES.
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13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF COMMERCE
15 REAPPROPRIATION.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. REAPPROPRIATION - SKILLS DEVELOPMENT FUND. There is hereby
22 appropriated, to the Department of Commerce, to be payable from the Skills
23 Development Fund, for the Department of Commerce - Office of Skills
24 Development the following:

25 (A) Effective July 1, 2022, the balance of the appropriation provided
26 in Item (A) of Section 1 of Act 332 of 2021, for personal services, operating
27 expenses, equipment and grants for comprehensive statewide workforce
28 development programs, in a sum not to exceed\$40,000,000.
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30 SECTION 2. REAPPROPRIATION - MINORITY AND WOMEN-OWNED BUSINESS LOAN
31 MOBILIZATION. There is hereby appropriated, to the Department of Commerce,
32 to be payable from the Minority and Women-Owned Business Loan Mobilization
33 Revolving Fund, for the Department of Commerce - Arkansas Economic
34 Development Commission the following:

35 (A) Effective July 1, 2022, the balance of the appropriation provided
36 in Item (A) of Section 5 of Act 333 of 2021, for promoting the development of



1 minority business enterprises in the State, increasing the ability of
2 minority business enterprises to compete for state contracts, and sustaining
3 the economic growth of minority business enterprises in the State, in a sum
4 not to exceed\$202,578.
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6 SECTION 3. REAPPROPRIATION - QUICK ACTION CLOSING FUND. There is
7 hereby appropriated, to the Department of Commerce, to be payable from the
8 Economic Development Incentive Quick Action Closing Fund, for the Department
9 of Commerce - Arkansas Economic Development Commission the following:

10 (A) Effective July 1, 2022, the balance of the appropriation provided
11 in Item (B) of Section 4 of Act 333 of 2021, for incentives to attract new
12 business and economic development to the State, in a sum not to exceed
13\$16,471,595.
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15 SECTION 4. REAPPROPRIATION - ECONOMIC DEVELOPMENT INCENTIVE PROGRAM -
16 CREATE REBATE. There is hereby appropriated, to the Department of Commerce,
17 to be payable from the Economic Development Incentive Fund of the Arkansas
18 Economic Development Commission, for the Department of Commerce - Arkansas
19 Economic Development Commission the following:

20 (A) Effective July 1, 2022, the balance of the appropriation provided
21 in Item (A) of Section 2 of Act 333 of 2021, for financial incentives to
22 companies locating a new facility or expanding an existing facility with the
23 State of Arkansas and for companies that hire and maintain specified levels
24 of employment, as identified in signed financial agreements with the
25 Department of Commerce - Arkansas Economic Development Commission, in a sum
26 not to exceed\$9,677,979.

27 (B) Effective July 1, 2022, the balance of the appropriation provided
28 in Item (A) of Section 2 of Act 848 of 2021, for financial incentives to
29 companies locating a new facility or expanding an existing facility with the
30 State of Arkansas and for companies that hire and maintain specified levels
31 of employment, as identified in signed financial agreements with the
32 Department of Commerce - Arkansas Economic Development Commission, in a sum
33 not to exceed\$37,500,000.
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35 SECTION 5. REAPPROPRIATION - CAPITAL IMPROVEMENT PROJECTS. There is
36 hereby appropriated, to the Department of Commerce - Arkansas Economic

1 Development Commission, to be payable from the Development and Enhancement
2 Fund, the following:

3 (A) Effective July 1, 2022, the balance of the appropriation provided
4 in Item (A) of Section 1 of Act 848 of 2021, for a transfer to the Economic
5 Development Incentive Quick Action Closing Fund, for incentives to attract
6 new business and economic development to the state, in a sum not to exceed
7\$75,000,000.

8 (B) Effective July 1, 2022, the balance of the appropriation provided
9 in Item (B) of Section 1 of Act 848 of 2021, for the purpose of providing
10 grants and/or loans to state agencies, cities, counties, community-based non-
11 profit organizations and other entities determined by the Department of
12 Commerce - Arkansas Economic Development Commission to be eligible to: (1)
13 undertake public works projects and/or job training efforts which support
14 private sector job creation opportunities; (2) alleviate conditions which
15 constitute a threat to public health and wellbeing; (3) partially defray the
16 cost of providing access to publicly owned industrial parks, and/or
17 technology parks; (4) provide for the expansion of the aircraft and aerospace
18 industry; (5) provide for port, rail and waterway economic development
19 projects; (6) provide for technology based economic development projects; (7)
20 provide for industrial site development costs (including, but not limited to
21 land acquisition, construction, renovation, and equipment acquisition); (8)
22 provide for development of intermodal facilities (including, but not limited
23 to port and/or waterway projects, rail spur construction and/or road and
24 highway improvement); (9) pay the costs of environmental mitigation projects;
25 (10) provide for construction and/or improvement of water and sewer systems
26 in a sum not to exceed\$24,000,000.

27 (C) Effective July 1, 2022, the balance of the appropriation provided
28 in Item (C) of Section 1 of Act 848 of 2021, for funding for an investment in
29 Arkansas’s workforce through training incentives for companies located in
30 Arkansas to upgrade skills of their existing workforce, or for a potential
31 new workforce, and to build capacity within Arkansas to supply on-going
32 training needs of Arkansas companies and to increase participation in the
33 State’s school-to-work initiatives, in a sum not to exceed\$3,000,000.

34 (D) Effective July 1, 2022, the balance of the appropriation provided
35 in Item (D) of Section 1 of Act 848 of 2021, for funding for grants and/or
36 loans to state agencies, cities, counties, community-based non-profit

1 organizations and other eligible entities to support economic stimulus
2 activities throughout the state, in a sum not to exceed\$13,700,000.

3 (E) Effective July 1, 2022, the balance of the appropriation provided
4 in Item (E) of Section 1 of Act 848 of 2021, for community improvement grants
5 for equipment, repair, maintenance, construction, renovation, improvement and
6 upgrade of public buildings and facilities, in a sum not to exceed
7\$5,000,000.

8 (F) Effective July 1, 2022, the balance of the appropriation provided
9 in Item (F) of Section 1 of Act 848 of 2021, for Public Safety Grants to
10 eligible entities for personal services, operating expenses, equipment,
11 maintenance, repair and upgrade associated with the provision of fire
12 protection, search and rescue, security enhancement, telecommunications,
13 emergency medical service, and disaster relief and recovery, in a sum not to
14 exceed\$10,000,000.

15 (G) Effective July 1, 2022, the balance of the appropriation provided
16 in Item (G) of Section 1 of Act 848 of 2021, for vital infrastructure needs,
17 programs, grants, and/or loans for public buildings, water treatment systems,
18 environmental concerns, energy needs, telecommunications, sewer systems, and
19 cost-effective energy efficient improvements and technologies, in a sum not
20 to exceed\$22,000,000.

21 (H) Effective July 1, 2022, the balance of the appropriation provided
22 in Item (H) of Section 1 of Act 848 of 2021, for grant matching funds and/or
23 loans to state agencies, cities, counties, community-based non-profit
24 organizations and other eligible entities applying for consideration with a
25 grant funder that requires matching funds for projects, to maximize
26 contributions, provide cash assistance, or match contributions to ensure
27 grant funding or contract, in a sum not to exceed\$10,000,000.

28 (I) Effective July 1, 2022, the balance of the appropriation provided
29 in Item (I) of Section 1 of Act 848 of 2021, for grants and/or loans to state
30 agencies, community-based non-profit organizations, fire departments,
31 counties, municipalities or subdivisions thereof, or other eligible entities
32 for operating, construction, improvements, equipment, renovation, and/or
33 maintenance expenses associated with public buildings, public lands,
34 community centers, memorials, parks, amphitheaters, museums, recreation
35 centers, fire protection, law enforcement, libraries, senior centers, and
36 cemeteries, in a sum not to exceed\$30,000,000.

1 (J) Effective July 1, 2022, the balance of the appropriation provided
2 in Item (J) of Section 1 of Act 848 of 2021, for payments on bonds issued for
3 economic development projects authorized under Amendment 82 to the
4 Constitution of the State of Arkansas of 1874, in a sum not to exceed
5\$7,000,000.
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7 SECTION 6. REAPPROPRIATION - DEVELOPMENT AND ENHANCEMENT FUND AND
8 CAPITAL PROJECTS - RURAL SERVICES DIVISION. There is hereby appropriated, to
9 the Department of Commerce, to be payable from the Development and
10 Enhancement Fund, for the Department of Commerce - Arkansas Economic
11 Development Commission - Rural Services Division the following:

12 (A) Effective July 1, 2022, the balance of the appropriation provided
13 in Item (A) of Section 1 of Act 333 of 2021, for community improvement grants
14 to counties, for operating, construction, improvements, equipment,
15 renovation, and maintenance expenses associated with county fairs and rodeos,
16 in a sum not to exceed\$5,625.
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18 SECTION 7. REAPPROPRIATION - DEVELOPMENT AND ENHANCEMENT FUNDS -
19 DIVISION OF SCIENCE AND TECHNOLOGY. There is hereby appropriated, to the
20 Department of Commerce, to be payable from the Development and Enhancement
21 Fund, for the Department of Commerce - Arkansas Economic Development
22 Commission - Division of Science and Technology the following:

23 (A) Effective July 1, 2022, the balance of the appropriation provided
24 in Item (A) of Section 3 of Act 333 of 2021, for matching funds for a grant
25 from the National Science Foundation, in a sum not to exceed\$8,453.
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27 SECTION 8. REAPPROPRIATION - CAPITAL IMPROVEMENT PROJECTS, GRANTS AND
28 PROGRAMS. There is hereby appropriated, to the Department of Commerce, to be
29 payable from the Development and Enhancement Fund, for the Department of
30 Commerce - Arkansas Economic Development Commission the following:

31 (A) Effective July 1, 2022, the balance of the appropriation provided
32 in Item (A) of Section 6 of Act 333 of 2021, for statewide grants to
33 organizations that provide spay and neuter services, in a sum not to exceed
34\$40,500.

35 (B) Effective July 1, 2022, the balance of the appropriation provided
36 in Item (E) of Section 6 of Act 333 of 2021, for funding for grants and/or

1 loans to state agencies, cities, counties, community-based non-profit
2 organizations and other eligible entities to support economic stimulus
3 activities throughout the state, in a sum not to exceed\$104,709.

4 (C) Effective July 1, 2022, the balance of the appropriation provided
5 in Item (I) of Section 6 of Act 333 of 2021, for grant matching funds and/or
6 loans to state agencies, cities, counties, community-based non-profit
7 organizations and other eligible entities applying for consideration with a
8 granting organization that requires matching funds for projects, to maximize
9 contributions, provide cash assistance, or match contributions to ensure
10 grant funding or contract, in a sum not to exceed\$375,000.

11 (D) Effective July 1, 2022, the balance of the appropriation provided
12 in Item (J) of Section 6 of Act 333 of 2021, for the purpose of providing
13 grants and/or loans to state agencies, cities, counties, community-based non-
14 profit organizations and other entities determined by the Arkansas Economic
15 Development Commission to be eligible to: (1) undertake public works projects
16 and/or job training efforts which support private sector job creation
17 opportunities; (2) alleviate conditions which constitute a threat to public
18 health and wellbeing; (3) partially defray the cost of providing access to
19 publicly owned industrial parks, and/or technology parks; (4) provide for the
20 expansion of the aircraft and aerospace industry; (5) provide for port, rail
21 and waterway economic development projects; (6) provide for technology based
22 economic development projects; (7) provide for industrial site development
23 costs (including, but not limited to land acquisition, construction,
24 renovation, and equipment acquisition); (8) provide for development of
25 intermodal facilities (including, but not limited to port and/or waterway
26 projects, rail spur construction and/or road and highway improvement); (9)
27 pay the costs of environmental mitigation projects; (10) provide for
28 construction and/or improvement of water and sewer systems, in a sum not to
29 exceed\$375,000.

30 (E) Effective July 1, 2022, the balance of the appropriation provided
31 in Item (M) of Section 6 of Act 333 of 2021, for funding for grants and/or
32 loans to state agencies, cities, counties, community-based non-profit
33 organizations and other eligible entities to undertake public works projects
34 and/or job training efforts which support private sector job creation
35 opportunities, alleviate conditions which constitute a threat to public
36 health and well-being, or partially defray the costs of providing access to

1 publicly owned industrial parks, and/or technology parks; to provide grants
2 and/or loans for the expansion of the aircraft and aerospace industry; grants
3 and/or loans for port and waterway economic development projects; grants
4 and/or loans for industrial site development costs (including, but not
5 limited to land acquisition, construction, renovation, and equipment
6 acquisition); development of intermodal facilities (including, but not
7 limited to port and waterway projects, rail spur construction and road and
8 highway improvements); grants and/or loans to pay the costs of environmental
9 mitigation projects; and for construction and/or improvement of water sewer
10 systems, in a sum not to exceed\$6,365.

11 (F) Effective July 1, 2022, the balance of the appropriation provided
12 in Item (N) of Section 6 of Act 333 of 2021, for funding for grants and/or
13 loans to state agencies, cities, counties, community-based non-profit
14 organizations and other eligible entities to support economic stimulus
15 activities throughout the State, in a sum not to exceed\$25,001.

16 (G) Effective July 1, 2022, the balance of the appropriation provided
17 in Item (P) of Section 6 of Act 333 of 2021, for allocation by the Executive
18 Director of the Economic Development Commission for activities associated
19 with the implementation of the State’s strategic plan for economic
20 development, in a sum not to exceed\$130,100.

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22 SECTION 9. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
23 obligations otherwise incurred in relation to the project or projects
24 described herein in excess of the State Treasury funds actually available
25 therefor as provided by law. Provided, however, that institutions and
26 agencies listed herein shall have the authority to accept and use grants and
27 donations including Federal funds, and to use its unobligated cash income or
28 funds, or both available to it, for the purpose of supplementing the State
29 Treasury funds for financing the entire costs of the project or projects
30 enumerated herein. Provided further, that the appropriations and funds
31 otherwise provided by the General Assembly for Maintenance and General
32 Operations of the agency or institutions receiving appropriation herein shall
33 not be used for any of the purposes as appropriated in this act.

34 (B) The restrictions of any applicable provisions of the State
35 Purchasing Law, the General Accounting and Budgetary Procedures Law, the
36 Revenue Stabilization Law and any other applicable fiscal control laws of

1 this State and regulations promulgated by the Department of Finance and
2 Administration, as authorized by law, shall be strictly complied with in
3 disbursement of any funds provided by this act unless specifically provided
4 otherwise by law.

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6 SECTION 10. LEGISLATIVE INTENT. It is the intent of the General
7 Assembly that any funds disbursed under the authority of the appropriations
8 contained in this act shall be in compliance with the stated reasons for
9 which this act was adopted, as evidenced by the Agency Requests, Executive
10 Recommendations and Legislative Recommendations contained in the budget
11 manuals prepared by the Department of Finance and Administration, letters, or
12 summarized oral testimony in the official minutes of the Arkansas Legislative
13 Council or Joint Budget Committee which relate to its passage and adoption.

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15 SECTION 11. EFFECTIVE DATE. This act is effective on and after July 1,
16 2022.