

1 State of Arkansas  
2 94th General Assembly  
3 Regular Session, 2023  
4

# A Bill

HOUSE BILL 1743

5 By: Representative Painter  
6

## For An Act To Be Entitled

8 AN ACT TO CREATE THE SUSTAINABLE BUILDING MAINTENANCE  
9 PROGRAM FOR STATE-SUPPORTED INSTITUTIONS OF HIGHER  
10 EDUCATION; AND FOR OTHER PURPOSES.  
11

## Subtitle

12 TO CREATE THE SUSTAINABLE BUILDING  
13 MAINTENANCE PROGRAM FOR STATE-SUPPORTED  
14 INSTITUTIONS OF HIGHER EDUCATION.  
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16  
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18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
20

21 SECTION 1. Arkansas Code Title 6, Chapter 62 is amended to add an  
22 additional subchapter to read as follows:

23 Subchapter 12 – Sustainable Building Maintenance Program for State-Supported  
24 Institutions of Higher Education

25  
26 6-62-1201. Sustainable Building Maintenance Program for State-  
27 Supported Institutions of Higher Education.

28 (a) There is created the Sustainable Building Maintenance Program for  
29 State-Supported Institutions of Higher Education.

30 (b) The program shall be administered by the Division of Higher  
31 Education.  
32

33 6-62-1202. Loans.

34 (a) Under the Sustainable Building Maintenance Program for State-  
35 Supported Institutions of Higher Education, the Division of Higher Education  
36 may authorize money to be loaned from the Sustainable Building Maintenance



1 Program for State-Supported Institutions of Higher Education Revolving Loan  
2 Fund, § 19-5-1277, to a state-supported institution of higher education.

3 (b) A loan from the fund made under subdivision (a) of this section  
4 shall be:

5 (1) For:

6 (A) Deferred maintenance;

7 (B) Critical maintenance; or

8 (C) A renovation of state-owned property; and

9 (2) In an amount that exceeds one hundred thousand dollars  
10 (\$100,000).

11 (c) The term for repayment of a loan from the fund made under  
12 subsection (a) of this section shall not exceed ten (10) years.

13  
14 6-62-1203. Loan approval process.

15 (a)(1) An applicant for a loan from the Sustainable Building  
16 Maintenance Program for State-Supported Institutions of Higher Education  
17 Revolving Loan Fund under § 6-62-1202 shall apply for the loan on a form  
18 approved by the Division of Higher Education.

19 (2) The division shall review an application submitted under  
20 subdivision (a)(1) of this section to determine if the applicant satisfies  
21 the eligibility criteria for a loan from the fund.

22 (b) The division shall provide an applicant for a loan from the fund  
23 with written notice of its determination regarding whether to offer the  
24 applicant a loan from the fund and any conditions for making the loan from  
25 the fund.

26 (c) After an applicant for a loan from the fund has satisfied the  
27 preconditions, if any, for the division's approval of the applicant's loan  
28 application and has executed a contract for the loan from the fund, the  
29 division shall present the contract for the loan from the fund to the  
30 Arkansas Higher Education Coordinating Board for its approval.

31  
32 6-62-1204. Rules.

33 (a) The Division of Higher Education shall promulgate rules for the  
34 implementation of this subchapter.

35 (b) The rules promulgated under subsection (a) of this section shall  
36 include without limitation:

1           (1) Application forms for applicants applying for a loan from  
2 the Sustainable Building Maintenance Program for State-Supported Institutions  
3 of Higher Education Revolving Loan Fund under § 6-62-1202;

4           (2) Eligibility requirements for applicants applying for a loan  
5 from the fund under § 6-62-1202;

6           (3) Review standards; and

7           (4) Requirements for the issuance of a loan from the fund under  
8 this subchapter.

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10           SECTION 2. Arkansas Code Title 19, Chapter 5, Subchapter 12, is  
11 amended to add an additional section to read as follows:

12           19-5-1277. Sustainable Building Maintenance Program for State-  
13 Supported Institutions of Higher Education Revolving Loan Fund.

14           (a) There is created on the books of the Treasurer of State, the  
15 Auditor of State, and the Chief Fiscal Officer of the State a miscellaneous  
16 fund to be known as the "Sustainable Building Maintenance Program for State-  
17 Supported Institutions of Higher Education Revolving Loan Fund".

18           (b) The fund shall consist of:

19           (1) General revenues authorized by law;

20           (2) Funds transferred to it from the Development and Enhancement  
21 Fund;

22           (3) Other funds, gifts, bequests, foundation grants and gifts,  
23 Governor's Emergency Fund or other emergency funds, federal grants and  
24 matching funds, proceeds from bond issues, services charges or fees,  
25 interagency transfers of funds; and

26           (4) Funds received from state-supported institutions of higher  
27 education to repay loans for the Sustainable Building Maintenance Program for  
28 State-Supported Institutions of Higher Education, § 6-62-1201 et seq.

29           (c) The fund shall be used to provide loans to state-supported  
30 institutions of higher education for the program as authorized under § 6-62-  
31 1201 et seq., and approved by the Arkansas Higher Education Coordinating  
32 Board.