

1 State of Arkansas  
2 94th General Assembly  
3 Fiscal Session, 2024  
4

As Engrossed: H4/30/24

# A Bill

HOUSE BILL 1097

5 By: Representative Jean  
6 By: Senator J. Dismang  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND THE REVENUE STABILIZATION LAW; TO  
10 CREATE FUNDS, TO REPEAL FUNDS, AND TO MAKE TRANSFERS  
11 TO AND FROM FUNDS AND FUND ACCOUNTS; TO DECLARE AN  
12 EMERGENCY; AND FOR OTHER PURPOSES.  
13  
14

## Subtitle

15 TO AMEND THE REVENUE STABILIZATION LAW;  
16 TO CREATE FUNDS, TO REPEAL FUNDS, AND TO  
17 MAKE TRANSFERS TO AND FROM FUNDS AND FUND  
18 ACCOUNTS; AND TO DECLARE AN EMERGENCY.  
19  
20  
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
23

24 SECTION 1. The purpose of this act is to amend the Revenue  
25 Stabilization Law and to create funds, to repeal funds, and to make transfers  
26 to and from funds and fund accounts.  
27

28 SECTION 2. Arkansas Code § 19-5-1264 is amended to read as follows:  
29 19-5-1264. Arkansas River Navigation System Fund.

30 (a) There is created on the books of the Treasurer of State, the  
31 Auditor of State, and the Chief Fiscal Officer of the State a miscellaneous  
32 fund to be known as the "Arkansas River Navigation System Fund".

33 (b) The fund shall consist of:

34 ~~(1) The taxes and penalties described in § 26-26-1616(d)(2);~~

35 ~~(2)(1)~~ Grants made by any person or federal government agency;

36 ~~(3)(2)~~ Any remaining fund balances carried forward from year to



1 year; and

2 ~~(4)~~(3) Any other funds authorized or provided by law.

3 (c) The fund shall be used by the Arkansas Waterways Commission to  
4 develop, improve, and expand river transportation resources within the  
5 portion of the McClellan-Kerr Arkansas River Navigation System located in the  
6 State of Arkansas.

7

8 SECTION 3. Arkansas Code § 19-5-307 is amended to read as follows:  
9 19-5-307. Public Health Fund.

10 (a) The Public Health Fund shall be used for the maintenance,  
11 operation, and improvement required by the regional health centers and the  
12 various divisions of the Department of Health in carrying out the powers,  
13 functions, and duties as set out in § 20-7-102 et seq. or other duties  
14 imposed by law upon:

15 (1) The Department of Health;

16 (2) The Secretary of the Department of Health;

17 (3) The State Board of Health; and

18 (4) The Secretary of the State Board of Health, or the State  
19 Health Officer, whose office was transferred under § 25-9-101 [repealed] to  
20 the Department of Health; ~~and~~

21 ~~(5) The State Cancer Commission, which was transferred to the~~  
22 ~~Department of Health by § 25-9-101 [repealed].~~

23 (b) The Public Health Fund shall consist of:

24 (1) Those special revenues as set out in § 19-6-301(41), (65),  
25 (68), (69), (80), (97), (131), ~~(132)~~, (133), (136), (137), (140), (141),  
26 (142), (143), (144), (147), (155), (166), (177), (194), (204), ~~(205)~~, ~~(250)~~,  
27 and that portion of § 19-6-301(58) of the Revenue Classification Law, § 19-6-  
28 101 et seq.;

29 (2) General revenues as may be provided by law;

30 (3) Nonrevenue income derived from services provided by the  
31 various divisions of the Department of Health;

32 (4) Federal reimbursement received on account of eligible  
33 expenditures by the various divisions of the Department of Health;

34 (5) Other funds as may be provided by law;

35 (6) Moneys transferred or deposited from the State

36 Administration of Justice Fund to support alcoholism treatment programs and

1 for use in the drug abuse prevention and treatment program of the Division of  
2 Aging, Adult, and Behavioral Health Services of the Department of Human  
3 Services;

4 (7) Amusement machine revenues over thirty thousand dollars  
5 (\$30,000), as set out in § 26-57-407; and

6 (8) Criminal, civil, and administrative penalties collected  
7 under the Arkansas Lead-Based Paint-Hazard Act of 2011, § 20-27-2501 et seq.

8

9 SECTION 4. Arkansas Code § 19-6-404 is amended to read as follows:

10 19-6-404. Division of Arkansas State Police Fund.

11 The Division of Arkansas State Police Fund shall consist of:

12 (1) Those special revenues as specified in § 19-6-301(1), ~~(5)~~,  
13 (7), (8), (38)-(40), (94), (150), (168), (175), (184)-(186), (190), (218)-  
14 (220), (222), (226), (227), (234), (252), and (270);

15 (2) Moneys transferred or deposited from the State  
16 Administration of Justice Fund;

17 (3) Those general revenues as may be provided by law, there to  
18 be used for the maintenance, operation, and improvement of the Division of  
19 Arkansas State Police in carrying out the functions, powers, and duties as  
20 stated in § 12-8-106 or other duties imposed by law upon the division;

21 (4) Any revenues credited to the Division of Arkansas State  
22 Police Fund under the Division of Arkansas State Police Headquarters  
23 Facilities and Equipment Financing Act, § 12-8-601 et seq.; and

24 (5) Federal reimbursements received for eligible expenditures by  
25 the various programs of the division made payable from the Division of  
26 Arkansas State Police Fund.

27

28 SECTION 5. Arkansas Code § 19-6-405(2), concerning special revenues of  
29 the State Highway and Transportation Department Fund, is amended to read as  
30 follows:

31 (2) Those special revenues specified in § 19-6-301(10), (152),  
32 (187), and (239), ~~and (241)~~;

33

34 SECTION 6. *DO NOT CODIFY. Uncodified Acts 2023, No. 561, § 3(a)(4)(A),*  
35 *concerning transfers to Restricted Reserve Fund Set-Asides, is amended to*  
36 *read as follows:*

1           (4)(A) Infrastructure ~~Investment and Jobs Act~~ Grants Matching Set-  
 2     Aside, for transfers from time to time as determined by the Chief Fiscal  
 3     Officer of the State, as authorized in 19-5-1263 (c), to provide matching  
 4     funds for the Infrastructure Investment and Jobs Act, the Inflation Reduction  
 5     Act, the CHIPS Act, and other infrastructure and capital projects that are  
 6     majority federally funded, in a sum not to exceed \$200,000,000;

7  
 8           SECTION 7. Arkansas Code 19-5-401 is amended to read as follows:

9           19-5-401. Allocations for fiscal year 2024-2025 and thereafter.  
 10     Commencing with the fiscal year beginning July 1, 2024, and each fiscal year  
 11     thereafter, the Treasurer of State shall transfer all remaining general  
 12     revenues available for distribution on the last day of business in July 2024,  
 13     and on the last day of business in each calendar month thereafter during the  
 14     fiscal year to the various funds and fund accounts participating in general  
 15     revenues in the proportions of the maximum allocation as the individual  
 16     allocation to the fund or fund account bears to the total of the maximum  
 17     allocation as provided in § 19-5-402 (a).

18  
 19           SECTION 8. Arkansas Code 19-5-402 is amended to read as follows:

20           19-5-402. Maximum allocations of revenues for fiscal year 2024-2025 and  
 21     thereafter.  
 22     (a) ALLOCATION A. The Treasurer of State shall first make monthly allocations  
 23     in the proportions set out in this subsection to the funds and fund accounts  
 24     listed below until there has been transferred a total of six billion three  
 25     hundred eleven million four hundred sixty thousand five hundred sixty-six  
 26     dollars (\$6,311,460,566) or so much thereof as may become available;  
 27     provided, that the Treasurer of State shall make such monthly allocations in  
 28     accordance with each fund or fund account's proportionate part of the total  
 29     of all such allocations set forth in this subsection:

| 30     Name of Fund or Fund Account                                | Maximum Allocation |
|--|--------------------|
| 31   |                    |
| 32     PUBLIC SCHOOL FUND  |                    |
| 33           (1) Division of Elementary and Secondary Education    |                    |
| 34           Public School Fund Account                            | \$2,443,582,431    |
| 35           (2) State Library Public School Fund Account          | \$    5,641,919    |
| 36           (3) Division of Career and Technical Education Public |                    |

|    |  |               |
|----|--|---------------|
| 1  | <i>School Fund Account</i>                                   | \$ 26,883,872 |
| 2  | <i>(4) Division of Career and Technical Education Public</i> |               |
| 3  | <i>School Fund Account - Adult Education</i>                 | \$ 8,489,176  |
| 4  |  |               |
| 5  | <b>GENERAL EDUCATION FUND</b>                                |               |
| 6  | <i>(1) Division of Elementary and Secondary Education</i>    |               |
| 7  | <i>Fund Account</i>  | \$ 18,282,199 |
| 8  | <i>(2) Division of Elementary and Secondary Education</i>    |               |
| 9  | <i>Fund Account - Succeed Scholarship</i>                    | \$ -          |
| 10 | <i>(3) Educational Facilities Partnership Fund Account</i>   | \$ -          |
| 11 | <i>(4) Division of Public School Academic Facilities</i>     |               |
| 12 | <i>and Transportation Fund Account</i>                       | \$ 2,857,204  |
| 13 | <i>(5) Educational Television Fund Account</i>               | \$ 5,825,736  |
| 14 | <i>(6) School for the Blind Fund Account</i>                 | \$ 8,218,836  |
| 15 | <i>(7) School for the Deaf Fund Account</i>                  | \$ 11,812,933 |
| 16 | <i>(8) State Library Fund Account</i>                        | \$ 3,859,435  |
| 17 | <i>(9) Division of Career and Technical Education Fund</i>   |               |
| 18 | <i>Account</i>   | \$ -          |
| 19 | <i>(10) Rehabilitation Services Fund Account</i>             | \$ 11,942,101 |
| 20 | <i>(11) Child Care Grant Fund Account</i>                    | \$ 7,056,193  |
| 21 | <i>(12) Child Care and Early Childhood Education</i>         |               |
| 22 | <i>Fund Account</i>  | \$ 2,589,553  |
| 23 | <b>Technical Institutes:</b>                                 |               |
| 24 | <i>(13) Northwest Technical Institute Fund Account</i>       | \$ 3,308,152  |
| 25 |  |               |
| 26 | <b>DEPARTMENT OF HUMAN SERVICES FUND</b>                     |               |
| 27 | <i>(1) Department of Human Services Administration</i>       |               |
| 28 | <i>Fund Account</i>  | \$ 24,518,586 |
| 29 | <i>(2) Children and Family Services Fund Account</i>         | 139,333,393   |
| 30 | <i>(3) Youth Services Fund Account</i>                       | 48,980,104    |
| 31 | <i>(4) Developmental Disabilities Services Fund Account</i>  | 65,603,057    |
| 32 | <i>(5) Medical Services Fund Account</i>                     | 2,442,596     |
| 33 | <i>(6) Department of Human Services Grants Fund Account</i>  | 1,389,725,705 |
| 34 | <i>(7) Behavioral Health Services Fund Account</i>           | 103,643,589   |
| 35 | <i>(8) Provider Services and Quality Assurance Fund</i>      |               |
| 36 | <i>Account</i>   | 5,515,977     |

|    |   |               |
|----|---|---------------|
| 1  | (9) County Operations Fund Account                        | 57,419,886    |
| 2  |   |               |
| 3  | STATE GENERAL GOVERNMENT FUND                             |               |
| 4  | (1) Division of Arkansas Heritage Fund Account            | \$ 7,755,838  |
| 5  | (2) Department of Agriculture Fund Account                | 19,479,187    |
| 6  | (3) Department of Labor and Licensing Fund Account        | 3,909,567     |
| 7  | (4) Division of Higher Education Fund Account             | 11,989,758    |
| 8  | (5) Higher Education Grants Fund Account                  | 40,619,625    |
| 9  | (6) Arkansas Economic Development Commission              |               |
| 10 | Fund Account  | 21,339,734    |
| 11 | (7) Division of Correction Inmate Care                    |               |
| 12 | and Custody Fund Account                                  | 434,873,587   |
| 13 | (8) Division of Community Correction Fund Account         | 105,311,074   |
| 14 | (9) Department of the Military Fund Account               | 10,109,327    |
| 15 | (10) Parks and Tourism Fund Account                       | 22,082,257    |
| 16 | (11) Division of Environmental Quality                    |               |
| 17 | Fund Account  | 4,202,841     |
| 18 | (12) Miscellaneous Agencies Fund Account                  | 78,026,413    |
| 19 |   |               |
| 20 | COUNTY AID FUND   | \$ 21,428,616 |
| 21 | COUNTY JAIL REIMBURSEMENT FUND                            | \$ 25,765,944 |
| 22 | CRIME INFORMATION SYSTEM FUND                             | \$ 2,186,443  |
| 23 | CHILD SUPPORT ENFORCEMENT FUND                            | \$ 13,288,801 |
| 24 | PUBLIC HEALTH FUND  | \$ 81,954,072 |
| 25 | PERFORMANCE FUND  | \$ -          |
| 26 | MOTOR VEHICLE ACQUISITION REVOLVING FUND                  | \$ -          |
| 27 | MUNICIPAL AID FUND  | \$ 29,372,099 |
| 28 | DIVISION OF ARKANSAS STATE POLICE FUND                    | \$ 92,596,808 |
| 29 | DIVISION OF WORKFORCE SERVICES FUND-NEW HIRE REGISTRY     | \$ 150,000    |
| 30 | DIVISION OF WORKFORCE SERVICES FUND-ADULT EDUCATION       | \$ 1,026,253  |
| 31 | STATE SERVICES FOR THE BLIND FUND                         | \$ 1,972,456  |
| 32 | SKILLS DEVELOPMENT FUND                                   | \$ 3,608,348  |
| 33 | ARKANSAS CHILDREN'S EDUCATIONAL FREEDOM ACCOUNT FUND      | \$ 97,487,318 |
| 34 | SUSTAINABLE BUILDING MAINTENANCE PROGRAM FOR STATE-       |               |
| 35 | SUPPORTED INSTITUTIONS OF HIGHER EDUCATION REVOLVING LOAN |               |
| 36 | FUND  | \$ 4,555,985  |

|    |  |                |
|----|--|----------------|
| 1  |  |                |
| 2  | <i>INSTITUTIONS OF HIGHER EDUCATION</i>                      |                |
| 3  | (1) <i>ARKANSAS STATE UNIVERSITY FUND</i>                    | \$ 62,150,956  |
| 4  | (2) <i>ARKANSAS TECH UNIVERSITY FUND</i>                     | \$ 36,356,050  |
| 5  | (3) <i>HENDERSON STATE UNIVERSITY FUND</i>                   | \$ 18,832,354  |
| 6  | (4) <i>SOUTHERN ARKANSAS UNIVERSITY FUND</i>                 | \$ 16,861,877  |
| 7  | (5) <i>UNIVERSITY OF ARKANSAS FUND</i>                       | \$ 134,584,010 |
| 8  | (6) <i>UNIVERSITY OF ARKANSAS FUND-UA SYSTEM</i>             | \$ 3,479,474   |
| 9  | (7) <i>UNIVERSITY OF ARKANSAS FUND-ARCHEOLOGICAL SURVEY</i>  | \$ 2,369,274   |
| 10 | (8) <i>UNIVERSITY OF ARKANSAS FUND-DIVISION OF</i>           |                |
| 11 | <i>AGRICULTURE</i>   | \$ 65,800,138  |
| 12 | (9) <i>UNIVERSITY OF ARKANSAS FUND-CLINTON SCHOOL</i>        | \$ 2,336,896   |
| 13 | (10) <i>UNIVERSITY OF ARKANSAS FUND-CRIMINAL JUSTICE</i>     |                |
| 14 | <i>INSTITUTE</i>   | \$ 2,458,634   |
| 15 | (11) <i>SCHOOL FOR MATH, SCIENCES, AND ARTS FUND</i>         | \$ 1,133,048   |
| 16 | (12) <i>UNIVERSITY OF ARKANSAS AT FORT SMITH FUND</i>        | \$ 21,045,824  |
| 17 | (13) <i>UNIVERSITY OF ARKANSAS AT LITTLE ROCK FUND</i>       | \$ 60,049,349  |
| 18 | (14) <i>UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND</i>       | \$ 93,012,881  |
| 19 | (15) <i>UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND -</i>     |                |
| 20 | <i>CHILD ABUSE/RAPE/DOMESTIC VIOLENCE</i>                    | \$ 350,000     |
| 21 | (16) <i>UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND -</i>     |                |
| 22 | <i>PEDIATRICS/PSYCHIATRIC RESEARCH</i>                       | \$ 1,985,100   |
| 23 | (17) <i>UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND -</i>     |                |
| 24 | <i>INDIGENT CARE</i>   | \$ 5,438,340   |
| 25 | (18) <i>UNIVERSITY OF ARKANSAS AT MONTICELLO FUND</i>        | \$ 16,696,750  |
| 26 | (19) <i>UNIVERSITY OF ARKANSAS AT PINE BLUFF FUND</i>        | \$ 21,902,693  |
| 27 | (20) <i>UNIVERSITY OF ARKANSAS AT PINE BLUFF FUND - 1890</i> |                |
| 28 | <i>LAND GRANT STATE MATCH</i>                                | \$ 5,800,000   |
| 29 | (21) <i>UNIVERSITY OF CENTRAL ARKANSAS FUND</i>              | \$ 56,013,219  |
| 30 | (22) <i>ARKANSAS NORTHEASTERN COLLEGE FUND</i>               | \$ 8,765,839   |
| 31 | (23) <i>ARKANSAS STATE UNIVERSITY - BEEBE FUND</i>           | \$ 11,356,380  |
| 32 | (24) <i>ARKANSAS STATE UNIVERSITY - MOUNTAIN HOME FUND</i>   | \$ 3,695,854   |
| 33 | (25) <i>ARKANSAS STATE UNIVERSITY - NEWPORT FUND</i>         | \$ 6,559,812   |
| 34 | (26) <i>COSSATOT COMMUNITY COLLEGE OF THE UNIVERSITY</i>     |                |
| 35 | <i>OF ARKANSAS FUND</i>                                      | \$ 3,757,578   |
| 36 | (27) <i>EAST ARKANSAS COMMUNITY COLLEGE FUND</i>             | \$ 8,749,489   |

|    |   |    |            |
|----|---|----|------------|
| 1  | (28) ARKANSAS STATE UNIVERSITY MID-SOUTH FUND           | \$ | 4,013,696  |
| 2  | (29) ARKANSAS STATE UNIVERSITY MID-SOUTH FUND - ADTEC   | \$ | 1,527,000  |
| 3  | (30) NATIONAL PARK COLLEGE FUND                         | \$ | 9,040,569  |
| 4  | (31) NORTH ARKANSAS COLLEGE FUND                        | \$ | 7,605,726  |
| 5  | (32) NORTHWEST ARKANSAS COMMUNITY COLLEGE FUND          | \$ | 11,649,679 |
| 6  | (33) PHILLIPS COMMUNITY COLLEGE OF THE UNIVERSITY       |    |            |
| 7  | OF ARKANSAS FUND  | \$ | 8,923,812  |
| 8  | (34) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT RICH   |    |            |
| 9  | MOUNTAIN FUND   | \$ | 3,546,964  |
| 10 | (35) SAU-TECH FUND                                      | \$ | 5,530,868  |
| 11 | (36) SAU-TECH FUND-ENVIRONMENTAL TRAINING ACADEMY       | \$ | 375,036    |
| 12 | (37) SAU-TECH FUND-FIRE TRAINING ACADEMY                | \$ | 1,780,943  |
| 13 | (38) SOUTH ARKANSAS COLLEGE FUND                        | \$ | 6,084,362  |
| 14 | (39) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT        |    |            |
| 15 | BATESVILLE FUND   | \$ | 4,406,596  |
| 16 | (40) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT        |    |            |
| 17 | HOPE-TEXARKANA FUND                                     | \$ | 4,647,636  |
| 18 | (41) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT        |    |            |
| 19 | MORRILTON FUND  | \$ | 5,089,458  |
| 20 | (42) BLACK RIVER TECHNICAL COLLEGE FUND                 | \$ | 6,321,306  |
| 21 | (43) ARKANSAS STATE UNIVERSITY THREE RIVERS FUND        | \$ | 3,381,360  |
| 22 | (44) OZARKA COLLEGE FUND                                | \$ | 3,248,284  |
| 23 | (45) UNIVERSITY OF ARKANSAS - PULASKI TECHNICAL COLLEGE |    |            |
| 24 | FUND  | \$ | 14,765,510 |
| 25 | (46) SOUTHEAST ARKANSAS COLLEGE FUND                    | \$ | 5,354,958  |

26

27 SECTION 9. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED  
 28 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DUPLICATE ACTS. If HB1097 and  
 29 SB80 of the 2024 Fiscal Session of the 94th General Assembly are both enacted  
 30 and adopted by the 94th General Assembly in identical form, then the last Act  
 31 passed or latest expression shall supersede the other.

32

33 SECTION 10. EMERGENCY CLAUSE. It is found and determined by the  
 34 General Assembly of the State of Arkansas that changes in the state's fiscal  
 35 laws must take effect at the beginning of the fiscal year; and that it is  
 36 necessary for this act to become effective on July 1, 2024, to avoid a lapse



1 in critical and essential services that the state government provides to the  
2 citizens of this state at the beginning of the next fiscal year. Therefore,  
3 an emergency is declared to exist, and this act being necessary for the  
4 preservation of the public peace, health, and safety shall become effective  
5 on July 1, 2024.

6  
7 */s/Jean*

8  
9  
10 **APPROVED: 5/3/24**  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36