

ARKANSAS SENATE
95th General Assembly - Regular Session, 2025
Amendment Form

Subtitle of Senate Bill 439

TO AMEND THE DUTIES OF THE SECRETARY OF THE DEPARTMENT OF LABOR AND
LICENSING; AND TO AMEND PORTIONS OF ARKANSAS CODE WHICH RESULTED
FROM INITIATED ACT 1 OF 1914.

Amendment No. 2 to Senate Bill 439

Amend Senate Bill 439 as engrossed S3/17/25 (version: 3/17/25 10:21:21 AM):

Page 74, delete lines 16 through 23, and substitute the following:

"(C)(i) Transferring a position, employee, or job assignment on a permanent or temporary basis to enable the efficient operation of each board, commission, section, and division of the Department of Labor and Licensing upon the approval of the Legislative Council or, if the General Assembly is in regular session, fiscal session, or extraordinary session, the Joint Budget Committee.

(ii) The Department of Finance and Administration and the Department of Shared Administrative Services shall provide any assistance required to enable a position transfer under subdivision (a)(3)(C)(i) of this section.

(iii)(a) Determining the maximum number of employees and the maximum amount of appropriation of general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly and is usually accomplished by delineating the maximums in the appropriation act for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization Law.

(b) In light of subdivision (a)(3)(C)(i) of this section, it is both necessary and appropriate that the General Assembly



maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee or their cochaurs as provided by this subdivision (a)(3)(C).

(c) The requirement of approval by the Legislative Council or Joint Budget Committee or their cochaurs is not a severable part of this subdivision (a)(3)(C). If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this subdivision (a)(3)(C) is void."

The Amendment was read the first time, rules suspended and read the second time and _____
By: Senator Irvin
MBM/MBM - 03-19-2025 05:16:58
MBM206

Secretary