

**REQUEST FOR SPECIAL LANGUAGE  
IN APPROPRIATION ACT**

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**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**9904 Department of Education**

**ACT#: 170**

**SECTION#: 30**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

ESTABLISHMENT OF A "POSITION POOL". (a) To address needs emerging from statewide education issues and the necessity of recruiting and retaining qualified personnel, the Arkansas Department of Education or its successor agency is authorized for the ~~2024-2025~~ 2025-2026 fiscal year a pool of no more than five (5) Information Technology positions at a salary not to exceed the maximum salary for a grade IT12. These positions are to be used by the Department of Education in the event that the personal services needs of the Department during the ~~2024-2025~~ 2025-2026 fiscal year require additional positions, either by title or in number, that are not authorized by the General Assembly in the Regular Salaries section of this Act. These positions may also be used to properly classify positions when the Department does not have a vacant position available with the appropriate title and salary level.

(b) To address needs emerging from statewide education issues and the necessity of recruiting and retaining qualified personnel, the Arkansas Department of Education or its successor agency is authorized for the ~~2024-2025~~ 2025-2026 fiscal year a pool of ten (10) General Salaries positions at up to a grade GS15. These positions are to be used by the Department of Education in the event that the personal services needs of the Department during the ~~2024-2025~~ 2025-2026 fiscal year require additional positions, either by classification or in number, that are not authorized by the General Assembly in the Regular Salaries section of this Act. These positions may also be used to properly classify positions when the Department does not have a vacant position available with the appropriate title and grade level.

(c) Any salary determinations or adjustments administered under the

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**9904 Department of Education**

**ACT#: 170**

**SECTION#: 30**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

provisions of Subsections (a) and (b) of this Section shall be made by comparing the qualifications and salary levels of similar employees in school districts or in other state education agencies.

(d) The Department of Education is authorized to access the pool positions authorized in this Section at any time when it is determined by the Secretary that the need exists. The Secretary shall provide a monthly report of the justification for the need to allocate titles from this growth pool to the Chief Fiscal Officer of the State and to the Arkansas Legislative Council or Joint Budget Committee for review. The report shall also include an accounting of the names, titles, and salaries of personnel whose salaries have been adjusted under provisions of Subsections (a) and (b) of this Section.

(e) If the Department of Education requests continuation of any "Position Pool" position(s) as established herein during the next fiscal year, the position(s) must be requested as a new position(s) in the agency's budget request.

(f) Determining the number of personnel to be employed by a state agency is the prerogative of the General Assembly and is usually accomplished by delineating the maximum number of personnel by identifying job titles and the maximum grade or salary attached to those titles. The General Assembly has determined that the Arkansas Department of Education could be operated more efficiently if some flexibility is given to that agency. That flexibility is being accomplished by providing a position pool in Subsections (a) and (b) of this Section and since the General Assembly has granted the agency broad powers under the growth pool



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**9904 Department of Education**

**ACT#: 170**

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**EXECUTIVE RECOMMENDATION**

concept, it is both necessary and appropriate that the General Assembly maintain oversight of the utilization of the position pool by requiring review of the Legislative Council or Joint Budget Committee in the utilization of the position pool. Therefore, the requirement of review by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of review by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**9904 Department of Education**

**ACT#: 170**

**SECTION#: 31**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

SHARED SERVICES. (a)(1) The Chief Fiscal Officer of the State may create a Shared Services paying accounts on his or her books and on the books of the Treasurer of State and the Auditor of State for the payment of personal services and operating expenses in the Shared Services Paying Account Appropriation by the Department of Education.

(2) The Chief Fiscal Officer of the State shall direct the transfer of funds and appropriations to the Shared Services Paying Account appropriation section of this act on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State.

(3) The transfer authority provided to the department in subdivision (a)(2) of this section may be used to make transfers only within the department's appropriation act or between other appropriation acts authorized for the department.

(4) The provisions of this section shall be in effect from the date of passage through June 30, ~~2025~~ 2026.

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - General Education**

**ACT#: 170**

**SECTION#: 28**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

CARRY FORWARD. Notwithstanding any law pertaining to the transfer of year-end fund balances or any law to the contrary, any funds which remain in the Division of Elementary and Secondary Education Fund Account at the end of a fiscal year shall remain in the Division of Elementary and Secondary Education Fund Account and be made available to fund appropriation(s) authorized by law and made payable from the Division of Elementary and Secondary Education Fund Account for the following fiscal year.

Any carry forward of unexpended balance of funding as authorized herein, may be carried forward under the following conditions:

(1) Prior to June 30, ~~2025~~ 2026 the Agency shall by written statement set forth its reason(s) for the need to carry forward said funding to the Department of Finance and Administration Office of Budget;

(2) The Department of Finance and Administration Office of Budget shall report to the Arkansas Legislative Council or Joint Budget Committee all amounts carried forward by the September Arkansas Legislative Council or Joint Budget Committee meeting which report shall include the name of the Agency, Board, Commission or Institution and the amount of the funding carried forward, the program name or line item, the funding source of that appropriation and a copy of the written request set forth in (1) above;

(3) Each Agency, Board, Commission or Institution shall provide a written report to the Arkansas Legislative Council or Joint Budget Committee containing all information set forth in item (2) above, along with a written statement as to the current status of the project, contract, purpose etc. for which the carry forward was originally requested no later

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - General Education**

**ACT#: 170**

**SECTION#: 28**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

than thirty (30) days prior to the time the Agency, Board, Commission or Institution presents its budget request to the Arkansas Legislative Council/Joint Budget Committee; and

(4) Thereupon, the Department of Finance and Administration shall include all information obtained in item (3) above in the budget manuals and/or a statement of non-compliance by the Agency, Board, Commission or Institution.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - General Education**

**ACT#: 170**

**SECTION#: 29**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

SCHOOL SAFETY SET-ASIDE.

AGENCY REQUEST

(a) (1) The Department of Education shall not begin the process of promulgating rules for the distribution of funds in the School Safety Set-Aside or Contingency Vote 3/5 Set-Aside until authorized by Legislative Council.

(2) The department shall not disburse any funds in the School Safety Set-Aside or Contingency Vote 3/5 Set-Aside until the rules have been approved by Legislative Council.

(b) Notwithstanding other provisions of law, the Chief Fiscal Officer of the State may from time to time transfer on his or her books and those of the Treasurer of State and the Auditor of State funds from the Restricted Reserve Fund School Safety Set-Aside or Contingency Vote 3/5 Set-Aside after receiving prior approval of the greater of three-fifths (3/5) of the quorum present or a majority of the membership of the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee, for the Department of Education to distribute funds for the School Safety Grant program, as approved in this section as set out in subsection (a) herein, or for the distribution of funds from this set-aside for unanticipated state needs.

(c)(1) The General Assembly finds:

(A) Determining the maximum amount of appropriation and funding for a state agency or institution each fiscal year is the prerogative of the General Assembly;

(B) Determining the maximum amount of appropriation and funding for a state agency or institution is usually accomplished by delineating the

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - General Education**

**ACT#: 170**

**SECTION#: 29**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

maximum amounts in the appropriation acts for the state agency or institution and in the general revenue allocations authorized for each relevant fund and fund account by amendment to the Revenue Stabilization Law, § 19-5-101 et seq.; and

(C) The Restricted Reserve Fund has established procedures for the transfer of funds to various funds and fund accounts for the efficient and effective operation of state government.

(2)(A) It is necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee, as provided in § 19-5-1263(c).

(B) The requirement of approval by the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee, is not a severable part of § 19-5-1263.

(C) If the requirement of approval by the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee, is ruled unconstitutional by a court of competent jurisdiction, § 19-5-1263(c)-(e) are void in their entirety.

(d) The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 146**

**SECTION#: 6**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~R.I.S.E. ARKANSAS—CARRY FORWARD. Any unexpended balance of monies allocated for R.I.S.E. Arkansas remaining on June 30, 2025-2026, in the Division of Elementary and Secondary Education Public School Fund Account shall be designated and retained for the R.I.S.E. Arkansas. Any carry forward of unexpended balance of funding as authorized herein, may be carried forward under the following conditions:~~

~~——(1) Prior to June 30, 2025-2026 the Agency shall by written statement set forth its reason(s) for the need to carry forward said funding to the Department of Finance and Administration Office of Budget;~~

~~——(2) The Department of Finance and Administration Office of Budget shall report to the Arkansas Legislative Council or Joint Budget Committee all amounts carried forward by the September Arkansas Legislative Council or Joint Budget Committee meeting which report shall include the name of the Agency, Board, Commission or Institution and the amount of the funding carried forward, the program name or line item, the funding source of that appropriation and a copy of the written request set forth in item (1) above;~~

~~——(3) Each Agency, Board, Commission or Institution shall provide a written report to the Arkansas Legislative Council or Joint Budget Committee containing all information set forth in item (2) above, along with a written statement as to the current status of the project, contract, purpose, etc. for which the carry forward was originally requested no later than thirty (30) days prior to the time the Agency, Board, Commission or Institution presents its budget request to the Arkansas Legislative Council/Joint Budget Committee; and~~

~~——(4) Thereupon, the Department of Finance and Administration shall~~

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 146**

**SECTION#: 6**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~include all information obtained in item (3) above in the budget manuals and/or a statement of non-compliance by the Agency, Board, Commission or Institution.~~

~~The provisions of this section shall be in effect only from July 1, 2024 2025 through June 30, 2025-2026.~~



**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 146**

**SECTION#: 7**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

FUND ALLOCATION. The appropriation for the Isolated Funding line item in the Grants and Aid to Local School Districts and Special Programs section of this Act may be fully funded. Any funding and appropriation for Isolated Funding that is not utilized shall be transferred to the appropriation for Special Needs Isolated Funding in the Grants and Aid to Local School Districts and Special Programs section of this Act and shall be used there for fully funding each subsection (c) through (f) of Arkansas Code § 6-20-604 on a pro rata basis until the available funds are exhausted. Pro rata basis is defined as providing each district qualifying for additional funding under subsections (c) through (f) a proportionate share based on how each district's additional funding amount bears to the total additional funding amounts for all qualifying districts. If any funding and appropriation remains after funding each subsection (c) through (f) of Arkansas Code § 6-20-604 the remaining balance shall be used to fund the provisions of Arkansas Code § 6-20-604 (h) on an equal basis until the available funds are exhausted.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 146**

**SECTION#: 8**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

GRANTS TO SCHOOL DISTRICTS. For the purposes of distributing the Grants To School Districts appropriation in the Grants and Aid to Local School Districts and Special Programs section of this Act, "school district" means a school district which contracts with a school district in an adjoining state for the education of some of the pupils within the Arkansas school district because the portion of the school district wherein such pupils live is completely separated from the remainder of the school district by a reservoir covering at least 12,000 acres at normal water level, and where to attend school in their own district, the pupils of said portion would be required to travel or to be transported a distance (measured by the nearest highway or road route) of more than 35 miles round trip and pass through another school district or districts. The Department of Education shall distribute the monies appropriated for Grants to School Districts in the Grants and Aid to Local School Districts and Special Programs section of this Act to such school districts as reimbursement for expenses incurred in educating the pupils residing in the separated portion of the school district. The payments are to be limited to the amount of available appropriation. Such school districts shall file a request for reimbursement with the Department of Education and provide the Department of Education with such documentation as is deemed necessary.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 146**

**SECTION#: 9**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

SPECIAL EDUCATION SERVICES. The funds appropriated in the line item "Special Education Services" in the Grants and Aid to Local School Districts and Special Programs section of this Act shall be used to provide extended year summer programs for handicapped students in need of such services, to provide special education services to foster children who are wards of the State, and to provide funds for the payment of salaries of special education supervisors. The Department of Education shall distribute such funds in the manner necessary to carry out the intent of this Section.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 146**

**SECTION#: 10**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

TRANSFER AUTHORITY. The Commissioner of the Department of Education, with the approval of the Chief Fiscal Officer of the State and after approval by the Arkansas Legislative Council or Joint Budget Committee, is hereby authorized to request necessary appropriation transfers and any other budget related adjustments necessary within the Department of Education. Provided, however, that the Department of Education shall be limited to submitting no more than two transfer requests during any fiscal year.

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Department of Education may operate more efficiently if some flexibility is provided to the Commissioner of the Department of Education authorizing broad powers under the Transfer Authority provision herein. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, 2024

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 146**

**SECTION#: 10**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

2025 through June 30, ~~2025~~ 2026.

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 146**

**SECTION#: 11**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

AETN DOCUMENTED QUIZ BOWL COSTS. Of the total amount of appropriation and funds authorized herein to the Department of Education for the Quiz Bowl each fiscal year, an amount not to exceed forty thousand dollars (\$40,000) each fiscal year may be made available to the Department of Education - Educational Television Division for its documented costs associated with the Quiz Bowl.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 146**

**SECTION#: 12**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

RETIREMENT MATCHING. Beginning with the 1996-97 school year, Local School Districts shall pay the teacher retirement employer contribution rate for any eligible employee in accordance with rules and regulations established by the Teacher Retirement Board of Directors. The appropriation contained herein for Teacher Retirement Matching each fiscal year shall be used to provide the employer matching for employees of the Cooperative Education Services Areas, Vocational Centers, Arkansas Easter Seals and the school operated by the Department of Correction.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 146**

**SECTION#: 13**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

BETTER CHANCE PROGRAM ADMINISTRATIVE FEES. The Department of Education is hereby authorized to expend a maximum of two percent (2%) of available funds for administration of the Better Chance Program. Up to 1.8% of available funds shall be used to administer the program and to monitor program grantees to ensure compliance with programmatic standards. Prior to the utilization of the remaining 0.2% of available funds, the Department of Education shall seek prior review and approval of the Arkansas Legislative Council or Joint Budget Committee by providing a written request to include the following: a) the Department's reason(s) for the use of the funds and b) the amount of funds that will be expended. The Department may contract with the Division of Elementary and Secondary Education to administer the program.

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

AGENCY REQUEST



**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 146**

**SECTION#: 13**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

The provisions of this section shall be in effect only from July 1, 2024  
2025 through June 30, ~~2025~~ 2026.

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 146**

**SECTION#: 14**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~AVERAGE TEACHER SALARY. The Arkansas Department of Education is requested to calculate Average Teacher Salary in the Department's Annual Statistical Report to not include extra duty funds. Specifically, the Department is requested to calculate the Average Teacher Salary amount using the National Education Association definitions for Average Salary for Classroom Teachers. The Arkansas Department of Education shall submit this data annually to the National Education Association in accordance with that organization's deadlines for submission for their report "Rankings and Estimates" which includes state-by-state teacher salary comparisons. The provisions of this section shall be in effect only from July 1, 2024 2025 through June 30, 2025-2026.~~

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 146**

**SECTION#: 15**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

CARRY FORWARD - ARKANSAS BETTER CHANCE. Any unexpended balance of monies allocated for the Arkansas Better Chance for School Success Program remaining on June 30, ~~2025~~ 2026, in the Division of Elementary and Secondary Education Public School Fund Account shall be designated and retained for the Arkansas Better Chance for School Success Program.

Any carry forward of unexpended balance of funding as authorized herein, may be carried forward under the following conditions:

(1) Prior to June 30, ~~2025~~ 2026 the Agency shall by written statement set forth its reason(s) for the need to carry forward said funding to the Department of Finance and Administration Office of Budget;

(2) The Department of Finance and Administration Office of Budget shall report to the Arkansas Legislative Council or Joint Budget Committee all amounts carried forward by the September Arkansas Legislative Council or Joint Budget Committee meeting which report shall include the name of the Agency, Board, Commission or Institution and the amount of the funding carried forward, the program name or line item, the funding source of that appropriation and a copy of the written request set forth in (1) above;

(3) Each Agency, Board, Commission or Institution shall provide a written report to the Arkansas Legislative Council or Joint Budget Committee containing all information set forth in item (2) above, along with a written statement as to the current status of the project, contract, purpose etc. for which the carry forward was originally requested no later than thirty (30) days prior to the time the Agency, Board, Commission or Institution presents its budget request to the Arkansas Legislative Council/Joint Budget Committee; and

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(4) Thereupon, the Department of Finance and Administration shall include all information obtained in item (3) above in the budget manuals and/or a statement of non-compliance by the Agency, Board, Commission or Institution.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

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**SECTION#: 16**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

ARKANSAS/STRIVE PROGRAM TRANSFER. The Chief Fiscal Officer of the State shall transfer on his books and those of the State Treasurer and the State Auditor, the sum of two hundred thousand dollars (\$200,000) during each fiscal year from the Division of Elementary and Secondary Education Public School Fund Account to the University of Arkansas at Little Rock Fund, specifically to provide funding for the Arkansas/STRIVE Program. The total amount of funds transferred each fiscal year pursuant to this section shall not be subject to any indirect costs by the University of Arkansas at Little Rock.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

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**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

ARKANSAS GOVERNOR'S SCHOOL FUNDING. The Department of Education shall allocate, budget and commit for expenditure two hundred fifty thousand dollars (\$250,000), in addition to funds already being provided for the Arkansas Governor's School, to fund the appropriation authorized from general revenue for the Gifted and Talented program as appropriated in the Grants and Aid to Local School Districts and Special Programs section herein. With this additional funding either the department shall increase the number of grants for AEGIS summer enrichment programs, or the duration of the Arkansas Governor's School shall be extended from four (4) weeks to six (6) weeks.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

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**EXECUTIVE RECOMMENDATION**

EAST FUNDING PROVISION. Of the total amount appropriated for Technology Grants each fiscal year, an amount of not less than three million five thousand dollars (\$3,005,000) or eighteen percent (18%), whichever is greater each fiscal year, shall be awarded through a grant or professional services contract for the EAST Initiative. Not less than one million dollars (\$1,000,000) of the three million five thousand dollars (\$3,005,000) or eighteen percent (18%) of the Technology Grants Line Item awarded to the EAST Initiatives shall be used for EAST infrastructure and personnel growth for the establishment of new programs. The remaining funding shall be used for existing EAST infrastructure, personnel, and operating expenses of the EAST Initiative. The EAST infrastructure grant or contract for personal services and operating expenses shall be awarded to an entity that has personnel or experience, or both, in implementing the EAST Initiative.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

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**SECTION#: 19**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

INTERVENTION BLOCK GRANTS FUNDING RESTRICTION. The Department of Education shall make available from the Intervention Block Grants appropriation authorized by this Act, one hundred thousand dollars (\$100,000) each fiscal year for the annual expenses of the Quiz Bowl, thirteen thousand five hundred dollars (\$13,500) each fiscal year for Creativity in Arkansas, Inc. for grants up to \$1,000 each for students and chaperones, thirteen thousand five hundred dollars (\$13,500) each fiscal year for Destination Imagination, one hundred thousand dollars (\$100,000) each fiscal year for the State History Day Competition, and seventy-five thousand dollars (\$75,000) each fiscal year for a grant to the Arkansas Science Fair Association for grants to regional and the state science fairs. The Department of Education shall allocate General Revenue funding totaling no less than three hundred two thousand dollars (\$302,000) each fiscal year from the Division of Elementary and Secondary Education Public School Fund Account to support the annual expenses of the Quiz Bowl, the Creativity in Arkansas, Inc. for grants up to \$1,000 each for students and chaperones, Destination Imagination, the State History Day Competition, and the Arkansas Science Fair Association for grants to regional and state science fairs. The Department shall either expend or have committed for expenditure the monies allocated for the Quiz Bowl, Creativity in Arkansas, Inc., Destination Imagination, the State History Day Competition, and Arkansas Science Fair Association grants as authorized herein in order to fulfill the provisions of this section.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

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**SECTION#: 20**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

PROFESSIONAL DEVELOPMENT.

AGENCY REQUEST

(a) Of the total amount appropriated for Professional Development Funding, three million five hundred thousand dollars (\$3,500,000) may be authorized by the Commissioner of the Department of Education to be used by the Department of Education to develop and implement statewide professional development support systems for teachers that will benefit student achievement.

(b)(1) The Department of Education shall annually report the following information concerning the Arkansas Online Professional Development Initiative under § 6-17-707:

- (1) Annual expenditure information;
- (2) Statistical information pertaining to users of the initiative;
- (3) Course offerings;
- (4) Course hours completed; and
- (5) Certificates awarded.

(2) The report under subsection (b)(1) of this section shall be annually submitted by August 1 to the:

- (1) Governor;
- (2) Legislative Council or, if the General Assembly is in session, the Joint Budget Committee;
- (3) Senate Committee on Education;
- (4) House Committee on Education; and
- (5) Department of Finance and Administration.

(c) The provisions of this section shall be in effect only from July 1,

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**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

ESA MATCHING GRANT PROGRAM.

AGENCY REQUEST

(a)(1) Of the appropriation and funding for the ESA MATCHING GRANT PROGRAM Item in the Grants and Aid to Local School Districts and Special Programs section of this Act, five million three hundred thousand dollars (\$5,300,000) shall be set aside by the Department of Education and shall be used for school district expenditures for evidence-based programs to improve academic achievement of identified national school lunch students.

(2) These programs shall be limited to:

(A) Tutors as set out in § 6-20-2305(b)(4)(C)(i)(b)(4);

(B) Before-school academic programs and after-school academic programs, including transportation to and from the programs under § 6-20-2305(b)(4)(C)(i)(b)(2); and

(C) Prekindergarten programs under § 6-20-2305(b)(4)(C)(i)

(b)(3).

(b)(1) Set aside funds authorized in subsection (a) of this section shall be distributed to school districts on a dollar for dollar matching basis of school district expenditures for programs under subsection (a) of this section on a pro rata basis until the available funds are exhausted.

(2) As used in this subsection, "pro rata basis" means providing each district qualifying for additional funding in a proportionate share based on how each district's expenditure bears to the total of funding provided in subsection (a) of this section for all qualifying districts as determined by the Department of Education.

(c) If any funding remains after funding subsection (b) of this

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**EXECUTIVE RECOMMENDATION**

section, that remaining balance shall be carried over to the following fiscal year for the same purposes as provided in this section.

(d) The Department of Education shall adopt rules as necessary to implement this section.

(e) The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

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**EXECUTIVE RECOMMENDATION**

R.I.S.E. ARKANSAS. The appropriation for the R.I.S.E. Arkansas line item in the Grants and Aid to Local School Districts and Special Programs section of this Act shall be used for the coordination of a statewide reading campaign with community partners, parents, and teachers to establish the importance of reading in homes, schools, and communities.

The provisions of this section shall be in effect only from July 1, ~~2024-2025~~ through June 30, ~~2025~~ 2026.

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**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

ENHANCED STUDENT ACHIEVEMENT FUNDING NAME CHANGE. Any appropriation titled "ENHANCED STUDENT ACHIEVEMENT FUNDING" or abbreviated as "ESA" as named by SB605 of 2019 may also be known as "NATIONAL SCHOOL LUNCH" funding or abbreviated as "NSL" and shall be used for the same purposes as set out in law.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

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**EXECUTIVE RECOMMENDATION**

ARKANSAS GOVERNOR'S SCHOOL CURRICULUM. Prior to the beginning of the Arkansas Governor's School Program each year, the Arkansas Department of Education shall review and approve the proposed curriculum for the program year and shall maintain oversight of its implementation for consistency and accuracy.

The provisions of this section shall be in effect only from July 1, ~~2024-2025~~ through June 30, ~~2025~~ 2026.

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**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

HIGH QUALITY INSTRUCTIONAL MATERIALS. Of the amount appropriated from the Division of Elementary and Secondary Education - Public School Fund for R.I.S.E. Arkansas, up to nine million five hundred thousand dollars (\$9,500,000) may be used for the purchase and distribution of high quality instructional materials in accordance with Arkansas Code § 6-17-429(f).

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

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**0500 DOE - Public School Fund**

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**SECTION#: 26**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

DIVISION OF ELEMENTARY AND SECONDARY EDUCATION PUBLIC SCHOOL FUND AND EDUCATIONAL ADEQUACY FUND DISTRIBUTION AND FUND BALANCE REPORT.(a) The Department of Education shall submit quarterly a "Division of Elementary and Secondary Education Public School Fund Distribution and Balance" report to the Arkansas Legislative Council PEER Subcommittee or, if meeting in a Legislative Session, the Joint Budget Committee PEER/Review Subcommittee no later than ten days prior to the Subcommittee's scheduled meeting date.

(1) The report shall summarize the current total fund balance and the past five Fiscal Year ending total fund balances of the Division of Elementary and Secondary Education - Public School Fund.

(2) The report shall contain, cumulatively over the course of the fiscal year, by quarter a summary of the itemized totals distributed from each subfund of the Division of Elementary and Secondary Education - Public School Fund and each subfund shall be organized as restricted or unrestricted in spending purpose.

(b) The Department of Education shall submit monthly an "Educational Adequacy Fund Distribution and Balance" report to the Arkansas Legislative Council PEER Subcommittee or, if meeting in a Legislative Session, the Joint Budget Committee PEER/Review Subcommittee no later than ten days prior to the Subcommittee's scheduled meeting date.

(1) The report shall summarize the current total fund balance and the past five Fiscal Year ending total fund balances of the Educational Adequacy Fund.

(2) The report shall contain the following:

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**EXECUTIVE RECOMMENDATION**

(A) Monthly beginning fund balance;  
(B) Monthly Distribution report with total distributions to the Division of Elementary and Secondary Education Public School Fund Account and the Division of Elementary and Secondary Education Fund Account; and  
(C) Amount of certified funding obligation remaining to the Division of Elementary and Secondary Education Public School Fund Account and the Division of Elementary and Secondary Education Fund Account for the fiscal year.

(c) The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

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**0500 DOE - Public School Academic Facilities & Transportation**

**ACT#: 20**

**SECTION#: 5**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

TRANSFER AUTHORITY - OPEN-ENROLLMENT PUBLIC CHARTER SCHOOL FACILITIES LOAN PROGRAM. The Department of Education - Division of Public School Academic Facilities and Transportation is authorized to transfer any funds that are made available for the Open-Enrollment Public Charter School Facilities Loan Program, including funds from the Development and Enhancement Fund or its successor fund or fund accounts, to the Open-Enrollment Public Charter School Facilities Loan Fund.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

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**0500 DOE - Public School Academic Facilities & Transportation**

**ACT#: 20**

**SECTION#: 6**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

TRANSFER AUTHORITY. The Director of the Department of Education - Division of Public School Academic Facilities and Transportation, with the approval of the Chief Fiscal Officer of the State and after approval by the Arkansas Legislative Council or Joint Budget Committee, is hereby authorized to request necessary appropriation transfers and any other budget related adjustments necessary only for the appropriations authorized in this Act. Furthermore, it is the intent of the General Assembly that the Department of Education - Division of Public School Academic Facilities and Transportation be able to make use of additional contractual services as necessary and that transfers between line items and among appropriations are anticipated to accomplish those purposes. Provided, however, that the Department of Education - Division of Public School Academic Facilities and Transportation shall be limited to submitting no more than two transfer requests during any fiscal year.

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Department of Education - Division of Public School Academic Facilities and Transportation may operate more efficiently if some flexibility is provided to the Director of the Department of Education - Division of Public School Academic Facilities and Transportation authorizing broad powers under the Transfer Authority

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**EXECUTIVE RECOMMENDATION**

provision herein. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

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**0590 DOE - Career & Technical Education**

**ACT#: 98**

**SECTION#: 10**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

FEDERAL MATCHING. The funds appropriated in Sections for Coordinated Career Education Services, Vocational Center Aid and Vocational Start-up Grants and Aid of this Act may also be used to match any available federal funds from any agency in order to provide the maximum amount of money possible for the purposes enumerated in such Section.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

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**0700 DOE - Higher Education Division**

**ACT#: 169**

**SECTION#: 31**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

DHE - REALLOCATION OF RESOURCES FOR INSTITUTIONS OF HIGHER EDUCATION. Upon determination by the president or chancellor of an institution of higher education that a reallocation of resources for purposes of reorganization or consolidation of administrative functions within the institution is necessary for efficient and effective operations of the institution, the president or chancellor, with approval of the institution's board of trustees, may have the authority to transfer positions, appropriations and related funds between campuses, divisions, branches, and other budgetary units of the institution, after receiving prior approval of the Legislative Council or Joint Budget Committee. The transfers of positions, programs, or activities shall be used for those purposes for which the appropriations were approved by the General Assembly. The transfers, consolidations, or reorganizations which involve academic programs shall be reviewed by the Division of Higher Education prior to submission to the Legislative Council or Joint Budget Committee. Provided, however, that the institution shall be limited to submitting no more than two (2) individual transaction transfer requests during any fiscal year and shall be further limited to no more than five percent (5%) of the total General Revenue and Special Revenue appropriation, funding, positions specific to each institution, and no Tobacco Settlement funds or appropriations may be reallocated pursuant to this section.

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for institutions of higher education each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in

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**EXECUTIVE RECOMMENDATION**

the appropriation act(s) for institutions of higher education and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that institutions of higher education may operate more efficiently if some flexibility is provided to institutions of higher education authorizing broad powers under this section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.



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**SECTION#: 32**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~DHE — WORK FORCE 2000 DEVELOPMENT FUND PROCEDURES. After the amounts to be made available to the various technical colleges have been determined as set out in Arkansas Code 26-51-205(d)(2)(A) and 26-51-205(d)(2)(B), such documents as may be necessary shall be processed so that funds may be transferred from the Work Force 2000 Development Fund to the State Treasury fund or fund account from which the technical college draws its general revenue support. Such funds as may be transferred shall not exceed 93.691% of the total funds available from the Work Force 2000 Development Fund during the fiscal year.~~

~~In the event that a technical institute or comprehensive lifelong learning center which receives support from the Work Force 2000 Development Fund as determined by law transfers or merges into the Arkansas Technical College and Community College System for which Work Force 2000 Development Fund monies are determined by law, then the actual amount of support from the Work Force 2000 Development Fund in the preceding fiscal year for such educational institution shall be made available irrespective of any other provision of law which sets out maximum levels of support from such fund.~~

~~—The funds distributed under Arkansas Code 26-51-205(d)(2)(C) in excess of those amounts collected and distributed prior to June 30, 2014 shall be deposited into the Skills Development Fund to be used only for personal services, grants, operation, support, and improvement of occupational, vocational, technical, and workforce development programs by the Department of Career Education — Office of Skills Development. —The distributions of funds under Arkansas Code 26-51-205(d)(2)(C) in excess of~~

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**EXECUTIVE RECOMMENDATION**

~~those amounts collected and distributed prior to June 30, 2014 shall not apply to proceeds allocated to schools, colleges and educational institutions under Arkansas Code 26-51-205(d)(2)(A) and 26-51-205(d)(2)(B).~~

~~The provisions of this section shall be in effect only from July 1, 2024 2025 through June 30, 2025-2026.~~

ADHE believes the codified WorkForce 2000 language covers all of this without the need to continue the special language.

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**0700 DOE - Higher Education Division**

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**SECTION#: 33**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

DHE - BUILDING MAINTENANCE FUND. After the sum of \$13,200,000 has been deposited into the Higher Education Building Maintenance Fund, any additional deposits are to be transferred to the Research Development Fund there to be used as provided by law.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

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**ACT#: 169**

**SECTION#: 34**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~DHE PROGRAM COORDINATOR FUNDING. The Chief Fiscal Officer of the State shall transfer sufficient funding for the fiscal year from the Higher Education Grants Fund Account to the Division of Higher Education Fund Account in order to finance the personal services costs of a DHE Program Coordinator.~~

~~The provisions of this section shall be in effect only from July 1, 2024 2025 through June 30, 2025 2026.~~

DHE PROGRAM COORDINATOR FUNDING. The Chief Fiscal Officer of the State shall transfer sufficient funding for the fiscal year from the Higher Education Grants Fund Account to the Division of Higher Education Fund Account in order to finance the personal services costs of a DHE Program Coordinator.

The provisions of this section shall be in effect only from July 1, 2024 2025 through June 30, ~~2025~~ 2026.

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**ACT#: 169**

**SECTION#: 35**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

DHE - TRANSFER PROVISION. Upon certification by the Director of the Division of Higher Education that transfers are needed to make maximum utilization of funds and appropriations provided for financial aid programs, and with the approval of the Chief Fiscal Officer of the State and a review by the Arkansas Legislative Council or Joint Budget Committee, funds and appropriations may be transferred between financial aid programs to more adequately align the appropriation with the number of eligible students.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

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**SECTION#: 36**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

DHE - TRANSFER OF HIGHER EDUCATION GRANTS FUND APPROPRIATIONS - HEALTH EDUCATION GRANTS AND LOANS. Upon certification to and with the approval of the Chief Fiscal Officer of the State, surplus funds and appropriations may be transferred between the appropriations provided for "Health Education Grants and Loans" by this Act by the General Assembly for Dental Aid Grants and Loans, Optometry Aid Grants and Loans, Veterinary Aid, Veterinary Med. Loan Forgiveness Program, Podiatry Aid, and Chiropractic Aid.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

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**SECTION#: 37**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

DHE - CONTINGENCY APPROPRIATIONS - TRANSFERS AND REPORTS. (a) Upon approval by the Department of Education - Division of Higher Education and the Chief Fiscal Officer of the State, institutions of higher education may transfer appropriation from the cash contingency appropriation to any other appropriation made to the institution from cash funds including the establishment of commitment items, and may transfer appropriation from the contingency appropriation made payable from each institution's State Treasury Fund to the state operations appropriation made payable from each institution's State Treasury Fund including the establishment of commitment items, and may transfer appropriation from the contingency appropriation made payable from the Tobacco Settlement Program Fund Accounts to any other appropriation made to the institution from Tobacco Settlement Program Fund Accounts including the establishment of commitment items.

(b) Contingency appropriation transfers shall only establish and supplement commitment items that were recommended by the Higher Education Coordinating Board in the budget manuals presented to the Legislative Council and Joint Budget Committee.

(c) The Department of Education - Division of Higher Education shall report contingency appropriation transfers and the establishment of any commitment items authorized by this Section to the Legislative Council or Joint Budget Committee for review during its July meeting. The report shall include, by institution, the establishment of, and the amounts transferred to, each commitment item, the reasons therefor and the source of funds. Institutions shall submit contingency appropriation transfer and commitment

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item establishment requests authorized by this Section to the Division of Higher Education no later than July 1. Upon the failure of an institution to submit the required information by the July 1 deadline, the Department of Education - Division of Higher Education shall immediately notify by written notification the chairpersons of the Legislative Council or Joint Budget Committee.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.



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**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

DHE WORKFORCE INITIATIVE ACT FUNDING. The Chief Fiscal Officer of the State may transfer, on his or her books and those of the State Treasurer and the Auditor of the State, funding up to the amount authorized in the Workforce Initiative Act of 2015 appropriation section in this Act, from the Division of Higher Education Fund Account to the Workforce Initiative Act of 2015 Fund in order to finance the distribution of grants identified under §6-60-107.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0700 DOE - Higher Education Division**

**ACT#: 169**

**SECTION#: 39**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

DHE - STATEWIDE SCHOLARSHIP AND GRANT PROMOTION. Of the general revenue that is received by and distributed from the Higher Education Grants Fund Account, the Chief Fiscal Officer of the State shall transfer two hundred ninety-five thousand dollars (\$295,000) to the Division of Higher Education Fund Account to be allocated, budgeted, committed and distributed to the Statewide Scholarship and Grant Promotion line item in the General Operations section of this Act for the purpose of increasing public awareness of the scholarships and grants offered by the State through the Arkansas Department of Education - Division of Higher Education. The Department shall utilize a minimum of one hundred forty-seven thousand five hundred dollars (\$147,500) of the aforementioned total specifically for the promotion of the Arkansas Futures Grant Program.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0700 DOE - Higher Education Division**

**ACT#: 169**

**SECTION#: 40**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

GOVERNOR'S HIGHER EDUCATION TRANSITION SCHOLARSHIP PROGRAM.  
The Department of Education - Division of Higher Education shall provide for the administration of the "Governor's Higher Education Transition Scholarship Program" as appropriated in the Student Assistance Grants and Various Scholarships Appropriation section of this Act to assist students accepted into transitional programs for students with intellectual and/or developmental disabilities at state institutions of higher education and shall promulgate rules for the implementation of the program and for the disbursement of scholarships to eligible students.

The provisions of this section shall be in effect only from July 1, ~~2024-2025~~ through June 30, ~~2025~~ 2026.

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0510 DOE - School for the Blind**

**ACT#: 17**

**SECTION#: 13**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

ARKANSAS SCHOOL FOR THE BLIND - TRANSFER PROVISION. Upon approval from the Chief Fiscal Officer of the State, the Arkansas School for the Blind shall transfer appropriation from the Summer Projects line item, in the State Operations Appropriation of this Act, to the Regular Salaries, Extra Help, Personal Services Matching, Overtime and Maintenance & General Operations line items in the State Operations Appropriation of this Act, to compensate staff who work during the summer months on summer projects, and to cover other expenses of summer project activities. The Summer Projects line item may also be used for the annual cost related to the compensation of eligible staff for shift differential pay as well as compensation of employees for performance of duties assigned as referenced in the Special Allowance Special Language Section of this Act. Such additional compensation shall not be construed as exceeding the maximum salary authorized for said employees.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0510 DOE - School for the Blind**

**ACT#: 17**

**SECTION#: 14**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~ADE - ASB/ASD - SUMMER SCHOOL EMPLOYEES. Employees who, in addition to working during the regular school term, also work during summer months shall be authorized as additional compensation an amount not to exceed 1/12 of their annual salary for each month or part thereof worked. Such additional compensation shall not be construed as exceeding the maximum salary authorized for said employees. Payment of additional compensation shall be limited to employees in the following classifications:~~

AGENCY REQUEST

<del>CLASS CODE</del>	<del>SUMMER SCHOOL POSITIONS</del>	<del>GRADE</del>
<del>E044C</del>	<del>Certified Bachelor's Teacher</del>	<del>GS06</del>
<del>M026C</del>	<del>Licensed Social Worker</del>	<del>GS07</del>
<del>M020C</del>	<del>Licensed Professional Counselor</del>	<del>GS08</del>
<del>E035C</del>	<del>Certified Masters Teacher</del>	<del>GS08</del>
<del>M088C</del>	<del>Licensed Master Social Worker</del>	<del>GS08</del>
<del>E024C</del>	<del>Teacher Supervisor</del>	<del>GS09</del>
<del>E025C</del>	<del>Educational Specialist</del>	<del>GS09</del>
<del>E017C</del>	<del>Assistant Principal</del>	<del>GS10</del>
<del>E026C</del>	<del>Education &amp; Instruction Coordinator</del>	<del>GS08</del>
<del>E015C</del>	<del>Special Education Supervisor</del>	<del>GS09</del>

~~Exempt employees who require job responsibilities less than 2080 hours may work during summer months with approval from school Superintendent. Said employees shall be authorized as additional compensation an amount not to exceed 1/12 of their annual salary for each month or part thereof worked. Such additional compensation shall not be construed as exceeding the maximum salary authorized for said employees.~~

The provisions of this section shall be in effect only from July 1, 2024

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0510 DOE - School for the Blind**

**ACT#: 17**

**SECTION#: 14**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

2025 through June 30, ~~2025~~ 2026.

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0510 DOE - School for the Blind**

**ACT#: 17**

**SECTION#: 15**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~ARKANSAS SCHOOL FOR THE BLIND — CERTIFIED MASTERS OR BACHELOR TEACHERS ENTERING STATE SERVICE. — Upon the superintendent's certification to the State Personnel Administrator of prior service at an educational institution and with the approval of the Chief Fiscal Officer of the State, the salary of teachers entering state service as teachers for the sensory impaired may be adjusted to a rate of pay closest to but not less than the annual salary they would have received from their previous employer, effective upon employment at ASD or ASB. —The provisions of this section shall be in effect only from July 1, 2024 2025 through June 30, 2025-2026.~~

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0510 DOE - School for the Blind**

**ACT#: 17**

**SECTION#: 16**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~ARKANSAS SCHOOL FOR THE BLIND— SPECIAL RATES OF PAY. Due to the need to meet the minimum compensation schedule as established by Act 74 of the 2nd Extraordinary Session of the 84th General Assembly, or its successor, for public school teachers, counselors, and librarians and other education professionals as listed in subsection (a) below, the Arkansas School for the Blind is authorized to adjust current or new employees to at least the minimum level of compensation for public school employees.~~

~~— For current or new employees in the positions listed in subsection (a) below, the Arkansas School for the Blind may implement salary adjustments to maintain equity between their teacher salaries and those of Central Arkansas Public School Systems only after a plan for determining and implementing those adjustments has been reviewed by the Office of Personnel Management and by the Personnel Committee of the Arkansas Legislative Council and approved by the Chief Fiscal Officer of the State.~~

~~— For purposes of implementing the plan, the Arkansas School for the Blind is authorized special rates of pay up to the maximum of the assigned grade for classifications listed in subsection (a) below.~~

<del>-(a) CLASS CODE</del>	<del>TITLE</del>	<del>GRADE</del>
<del>E044C</del>	<del>Certified Bachelor's Teacher</del>	<del>GS06</del>
<del>E035C</del>	<del>Certified Masters Teacher</del>	<del>GS08</del>
<del>E036C</del>	<del>Certified Masters Degree Librarian</del>	<del>GS09</del>
<del>E032C</del>	<del>Education Counselor</del>	<del>GS07</del>
<del>L042C</del>	<del>School Speech Pathologist</del>	<del>MP01</del>
<del>E024C</del>	<del>Teacher Supervisor</del>	<del>GS09</del>
<del>E025C</del>	<del>Educational Specialist</del>	<del>GS09</del>

AGENCY REQUEST



**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0510 DOE - School for the Blind**

**ACT#: 17**

**SECTION#: 16**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~— E017C — Assistant Principal — GS10~~

~~— E004C — School Principal — GS11~~

~~— Funding for the minimum compensation provided for in this section that is supported in whole or in part from general revenues, shall, if required, be provided by a transfer from the Performance Fund to the proper fund or fund account and in such amounts as determined by the Chief Fiscal Officer of the State. The Arkansas School for the Blind shall, in addition to the funds provided in this Act for Annual Career Service Recognition Payments from the Performance Fund, make available any funding generated from agency salary savings for such purposes from the funds or fund accounts as provided by law.~~

~~— The provisions of this section shall be in effect only from July 1, 2024 2025 through June 30, 2025-2026.~~

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0510 DOE - School for the Blind**

**ACT#: 17**

**SECTION#: 17**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

CARRY FORWARD OF FUNDS - ASB.

AGENCY REQUEST

(a) The Chief Fiscal Officer of the State shall cause to be transferred on his or her books and those of the State Treasurer and Auditor of State the balance of General Revenue funds remaining in the School for the Blind Fund Account on June 30, ~~2024~~ 2025 into a sub-fund created within the School for the Blind Fund Account to be used for special maintenance, renovations, or future construction projects of the Department of Education - Arkansas School for the Blind.

(b) Any carry forward of the unexpended balance of funding as authorized herein, may be carried forward under the following conditions:

(1) The Office of Budget of the Department of Finance and Administration shall report to the Legislative Council all amounts carried forward by the September meeting of the Legislative Council or the Joint Budget Committee meeting which report shall include the name of the agency, board, commission, or institution and the amount of funding carried forward, the program name or line item and the funding source; and

(2) The Department of Education - Arkansas School for the Blind shall provide a written report to the Legislative Council or Joint Budget Committee containing all information set forth in subdivision (b)(1) of this section no later than thirty (30) days prior to the time the Department presents its budget request to the Legislative Council or Joint Budget Committee, or both; and

(3) Thereupon, the Department of Finance and Administration shall include all information obtained in subdivision (b)(2) of this section in the budget manuals.

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0510 DOE - School for the Blind**

**ACT#: 17**

**SECTION#: 17**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

The provisions of this section shall be in effect only from July 1, ~~2024-2025~~ through June 30, ~~2025~~ 2026.

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0513 DOE - School for the Deaf**

**ACT#: 17**

**SECTION#: 18**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~ADE— ASD— SUMMER SCHOOL EMPLOYEES. Employees who, in addition to working during the regular school term, also work during summer months shall be authorized as additional compensation an amount not to exceed 1/12 of their annual salary for each month or part thereof worked. Such additional compensation shall not be construed as exceeding the maximum salary authorized for said employees.~~

~~Payment of additional compensation shall be limited to employees in the following classifications:~~

<del>CLASS CODE</del>	<del>SUMMER SCHOOL POSITIONS</del>	<del>GRADE</del>
<del>E044C</del>	<del>Certified Bachelor's Teacher</del>	<del>GS06</del>
<del>E035C</del>	<del>Certified Masters Teacher</del>	<del>GS08</del>
<del>L042C</del>	<del>School Speech Pathologist</del>	<del>MP01</del>
<del>L045C</del>	<del>Audiologist</del>	<del>MP01</del>
<del>E036C</del>	<del>Certified Master's Degree Librarian</del>	<del>GS09</del>
<del>E032C</del>	<del>Education Counselor</del>	<del>GS07</del>
<del>M020C</del>	<del>Licensed Professional Counselor</del>	<del>GS08</del>
<del>E024C</del>	<del>Teacher Supervisor</del>	<del>GS09</del>
<del>E025C</del>	<del>Educational Specialist</del>	<del>GS09</del>
<del>E017C</del>	<del>Assistant Principal</del>	<del>GS10</del>
<del>E004C</del>	<del>School Principal</del>	<del>GS11</del>
<del>E026C</del>	<del>Education &amp; Instruction Coordinator</del>	<del>GS08</del>
<del>E015C</del>	<del>Special Education Supervisor</del>	<del>GS09</del>

~~The provisions of this section shall be in effect only from July 1, 2024-2025 through June 30, 2025-2026.~~

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0513 DOE - School for the Deaf**

**ACT#: 17**

**SECTION#: 19**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

ARKANSAS SCHOOL FOR THE DEAF - TRANSFER PROVISION. Upon approval from the Chief Fiscal Officer of the State, the Arkansas School for the Deaf shall transfer appropriation from the Miscellaneous Activities line item in the State Operations Appropriation of this Act, to the Regular Salaries, Extra Help, Personal Service Matching, Overtime, and Maintenance and General Operations line items also in the State Operations Appropriation, to compensate staff who work during the summer months on summer projects and to cover other expenses of summer project activities. The Miscellaneous Activities line item may also be used for the annual cost related to the payment of contracted interpreter services, compensation of eligible staff for shift differential pay, and compensation of employees for performance of duties assigned as referenced in the Special Allowance Special Language of this Act. Such additional compensation shall not be construed as exceeding the maximum salary authorized for said employees.

The provisions of this section shall be in effect only from July 1, ~~2024-2025~~ through June 30, ~~2025~~ 2026.

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0513 DOE - School for the Deaf**

**ACT#: 17**

**SECTION#: 20**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~ARKANSAS SCHOOL FOR THE DEAF — SPECIAL RATES OF PAY. Due to the need to meet the minimum compensation schedule as established by Act 74 of the 2nd Extraordinary Session of the 84th General Assembly, or its successor, for public school teachers, counselors, and librarians and other education professionals as listed in subsection (a) below, the Arkansas School for the Deaf is authorized to adjust current or new employees to at least the minimum level of compensation for public school employees.~~

~~For current or new employees in the positions listed in subsection (a) below, the Arkansas School for the Deaf may implement salary adjustments to maintain equity between their teacher salaries and those of Central Arkansas Public School Systems only after a plan for determining and implementing those adjustments has been reviewed by the Office of Personnel Management and by the Personnel Committee of the Arkansas Legislative Council or Joint Budget Committee and approved by the Chief Fiscal Officer of the State.~~

~~For purposes of implementing the plan, the Arkansas School for the Deaf is authorized special rates of pay up to the maximum of the assigned grade for classifications listed in subsection (a) below.~~

<del>(a) CLASS CODE</del>	<del>TITLE</del>	<del>GRADE</del>
<del>E044C</del>	<del>Certified Bachelors Teacher</del>	<del>GS06</del>
<del>E035C</del>	<del>Certified Masters Teacher</del>	<del>GS08</del>
<del>E036C</del>	<del>Certified Masters Degree Librarian</del>	<del>GS09</del>
<del>E032C</del>	<del>Education Counselor</del>	<del>GS07</del>
<del>L042C</del>	<del>School Speech Pathologist</del>	<del>MP01</del>
<del>E024C</del>	<del>Teacher Supervisor</del>	<del>GS09</del>

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0513 DOE - School for the Deaf**

**ACT#: 17**

**SECTION#: 20**

<b>CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)</b>	<b>EXECUTIVE RECOMMENDATION</b>
<del>— E025C — Educational Specialist — GS09</del>	
<del>— E017C — Assistant Principal — GS10</del>	
<del>— E004C — School Principal — GS11</del>	
<del>— Funding for the minimum compensation provided for in this section that is supported in whole or in part from general revenues, shall, if required, be provided by a transfer from the Performance Fund to the proper fund or fund account and in such amounts as determined by the Chief Fiscal Officer of the State. The Arkansas School for the Deaf shall, in addition to the funds provided in this Act for Annual Career Service Recognition Payments from the Performance Fund, make available any funding generated from agency salary savings for such purposes from the funds or fund accounts as provided by law.</del>	
<del>— The provisions of this section shall be in effect only from July 1, 2024 2025 through June 30, 2025 2026.</del>	

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0513 DOE - School for the Deaf**

**ACT#: 17**

**SECTION#: 21**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

CARRY FORWARD OF FUNDS - ASD.

AGENCY REQUEST

(a) The Chief Fiscal Officer of the State shall cause to be transferred on his or her books and those of the State Treasurer and Auditor of State the balance of General Revenue funds remaining in the School for the Deaf Fund Account on June 30, ~~2024~~ 2025 into a sub-fund created within the School for the Deaf Fund Account to be used for special maintenance, renovations, or future construction projects of the Department of Education - Arkansas School for the Deaf.

(b) Any carry forward of the unexpended balance of funding as authorized herein, may be carried forward under the following conditions:

(1) The Office of Budget of the Department of Finance and Administration shall report to the Legislative Council all amounts carried forward by the September meeting of the Legislative Council or the Joint Budget Committee meeting which report shall include the name of the agency, board, commission, or institution and the amount of funding carried forward, the program name or line item and the funding source; and

(2) The Department of Education - Arkansas School for the Deaf shall provide a written report to the Legislative Council or Joint Budget Committee containing all information set forth in subdivision (b)(1) of this section no later than thirty (30) days prior to the time the Department presents its budget request to the Legislative Council or Joint Budget Committee, or both; and

(3) Thereupon, the Department of Finance and Administration shall include all information obtained in subdivision (b)(2) of this section in the budget manuals.



**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0513 DOE - School for the Deaf**

**ACT#: 17**

**SECTION#: 21**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

The provisions of this section shall be in effect only from July 1, ~~2024-2025~~ through June 30, ~~2025~~ 2026.

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0519 DOE - Arkansas State Library**

**ACT#: 57**

**SECTION#: 9**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

CARRY FORWARD. At the close of the fiscal year ending June 30, ~~2024~~ 2025, any unexpended balance of monies provided from the State Library Fund Account for Books and Subscriptions, as provided in the State Operations Appropriation of this Act, shall be transferred forward and made available for the same purpose for the fiscal year ending June 30, ~~2025~~ 2026.

Any carry forward of unexpended balance of funding as authorized herein, may be carried forward under the following conditions:

(1) Prior to June 30, ~~2025~~ 2026 the Agency shall by written statement set forth its reason(s) for the need to carry forward said funding to the Department of Finance and Administration Office of Budget;

(2) The Department of Finance and Administration Office of Budget shall report to the Arkansas Legislative Council all amounts carried forward by the September Arkansas Legislative Council or Joint Budget Committee meeting which report shall include the name of the Agency, Board, Commission or Institution and the amount of the funding carried forward, the program name or line item, the funding source of that appropriation and a copy of the written request set forth in (1) above;

(3) Each Agency, Board, Commission or Institution shall provide a written report to the Arkansas Legislative Council or Joint Budget Committee containing all information set forth in item (2) above, along with a written statement as to the current status of the project, contract, purpose etc. for which the carry forward was originally requested no later than thirty (30) days prior to the time the Agency, Board, Commission or Institution presents its budget request to the Arkansas Legislative

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0519 DOE - Arkansas State Library**

**ACT#: 57**

**SECTION#: 9**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

Council/Joint Budget Committee; and

(4) Thereupon, the Department of Finance and Administration shall include all information obtained in item (3) above in the budget manuals and/or a statement of non-compliance by the Agency, Board, Commission or Institution.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0519 DOE - Arkansas State Library**

**ACT#: 57**

**SECTION#: 10**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~TRANSFER OF FUNDS — PROMOTIONAL ITEMS. The Chief Fiscal Officer of the State shall establish upon request from the Arkansas Department of Education — Arkansas State Library a special appropriation line item to be used in the acquisition of promotional items. When the Department of Education — Arkansas State Library wishes to transfer monies from its operating expenses to promotional items, the request shall be forwarded to the Chief Fiscal Officer of the State for processing after prior approval by the Arkansas Legislative Council or Joint Budget Committee. Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization Law. Further, the General Assembly has determined that the Department of Education — Arkansas State Library may operate more efficiently if some flexibility is provided to the Department of Education — Arkansas State Library authorizing broad powers under this Section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this Section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this Section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.~~

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0519 DOE - Arkansas State Library**

**ACT#: 57**

**SECTION#: 10**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~The provisions of this section shall be in effect only from July 1, 2024  
2025 through June 30, 2025-2026.~~

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0519 DOE - Arkansas State Library**

**ACT#: 57**

**SECTION#: 11**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

STATE FUNDING FOR LIBRARIES PROVISIONS.

AGENCY REQUEST

(i) The Department of Education - Arkansas State Library provides grants and aid to Libraries across the state. The Arkansas State Library has developed the Standards for State Aid to public libraries which creates standards public libraries must meet to be eligible for state aid.

(ii) The Standards for State Aid to Public Libraries contains the requirement that a public library shall maintain a one-mill county or city property tax, and the requirement that the library have a qualified librarian.

(iii) Less populated areas in the State may not have the ability to pass and maintain a one-mill county or city property tax.

(iv) Due to the importance that the public library represents to rural communities, the Arkansas State Library shall review and modify the requirements that prevent rural public libraries from receiving state grant and aid that is authorized by the General Assembly, as set out in subsection (v).

(v) Therefore, the Arkansas State Library shall promulgate rules that allow a public library to adequately demonstrate a source of revenue in lieu of the requirement to maintain a one-mill county or city property tax.

(vi) One month prior to the distribution of state aid to public libraries for the ~~2025~~ 2026 Fiscal Year, the Arkansas State Library shall report to the Arkansas Legislative Council or Joint Budget Committee, if meeting in legislative session, the revised Standards for State Aid to Public Libraries which shall address in writing the actions taken to address the issues as set out in this section. The report shall include all criteria, including but not limited to how a local public library may become certified

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0519 DOE - Arkansas State Library**

**ACT#: 57**

**SECTION#: 11**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

to receive funding from the Arkansas State Library.

(vii) The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0516 Educational Television Commission, Arkansas**

**ACT#: 137**

**SECTION#: 2**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

EXTRA HELP - STATE OPERATIONS. There is hereby authorized, for the Department of Education - Educational Television Division - State Operations for the ~~2024-2025~~ 2025-2026 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: five (5) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, for the appropriate classification. Many of these positions are related to specific projects, and those positions so related are specifically exempt from limitations of hours, either by act or regulation.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

AGENCY REQUEST



**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0516 Educational Television Commission, Arkansas**

**ACT#: 137**

**SECTION#: 4**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

EXTRA HELP - CASH OPERATIONS. There is hereby authorized, for the Department of Education - Educational Television Division - Cash Operations for the ~~2024-2025~~ 2025-2026 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: forty-six (46) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, for the appropriate classification. Many of these positions are related to specific projects, and those positions so related are specifically exempt from limitations of hours, either by act or regulation.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**9913 Department of Public Safety**

**ACT#: 138**

**SECTION#: 55**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

SHARED SERVICES. (a)(1) The Chief Fiscal Officer of the State may create a Shared Services paying account on his or her books and on the books of the Treasurer of State and the Auditor of State for the payment of personal services and operating expenses in the Shared Services Paying Account Appropriation by the Department of Public Safety.

(2) The Chief Fiscal Officer of the State shall direct the transfer of funds and appropriations to the Shared Services Paying Account appropriation section of this act on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State.

(3) The transfer authority provided to the department in subdivision (a)(2) of this section may be used to make transfers only within the department's appropriation act or between other appropriation acts authorized for the department.

(4) The provisions of this section shall be in effect from the date of passage through June 30, ~~2025~~ 2026.

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**9913 Department of Public Safety**

**ACT#: 138**

**SECTION#: 56**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

LAW ENFORCEMENT OFFICER SALARY GRID.

AGENCY REQUEST

(a) In the event additional General Revenue funds become available to the Department of Public Safety, as determined by the Chief Fiscal Officer of the State, the division shall implement a salary administration grid ~~effective July 1, 2022~~, after review by Legislative Council or, if the General Assembly is in session, the Joint Budget Committee.

(b) All employees in the certified law enforcement officer classifications, including recruits, at the Department of Public Safety are eligible for the increase provided in the salary administration grid established in section (a); the grid increase shall be in addition to any ~~cost-of-living adjustment or~~ performance-based increase provided ~~during the 2023 Fiscal Year~~. Notwithstanding other provisions of law, salaries established by this section may exceed the maximum pay level for the grade assigned to the classification by no more than twenty percent (20%) for any effected employee.

(c) The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0955 DPS - State Crime Laboratory**

**ACT#: 138**

**SECTION#: 54**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~CRIME LAB — MEDICAL EXAMINER SALARIES. In order to recruit and retain employees that meet the licensure requirements for Medical Examiners established in A.C.A. §12-12-307(a)(2), the Department of Public Safety — Division of Arkansas State Crime Laboratory, may exceed the maximum salary level by no more than fifty percent (50%) for the following authorized classifications:~~

~~(1) L001N Crime Lab Director Medical Examination Division~~

~~—— Grade MP10~~

~~(2) L004N Crime Lab Associate Medical Examiner~~

~~—— Grade MP09~~

~~Increases in accordance with this special language shall only be implemented after receiving approval from the Arkansas Legislative Council or Joint Budget Committee.~~

~~— The provisions of this section shall be in effect only from July 1, 2024 2025 through June 30, 2025 2026.~~

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0955 DPS - State Crime Laboratory**

**ACT#: New**

**SECTION#: New**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

The Department of Public Safety - Crime Lab is authorized to pay for recruitment expenses of potential Medical Examiner employees. During the recruitment phase of interviewing potential employees, Crime Lab is authorized to pay for airfare, hotel, and meal expenses.

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0995 DPS - Division Emergency Management**

**ACT#: 126**

**SECTION#: 22**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~OFFICE OF FIRE PROTECTION SERVICES. PROMOTIONAL ITEMS. The Department of Public Safety Division of Emergency Management Office of Fire Protection Services is hereby authorized to purchase from the Fire Protection Services Board Grants appropriation provided by this Act, up to an amount not to exceed \$7,500 each fiscal year, promotional items, authorized by the Secretary of the Department.~~

~~The provisions of this section shall be in effect only from July 1, 2024 2025 through June 30, 2025 2026.~~

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0960 DPS - Division of Arkansas State Police**

**ACT#: 138**

**SECTION#: 52**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

ASP - PROMOTIONAL ITEMS. The Arkansas State Police is hereby authorized to purchase from Maintenance & General Operations Classifications in the Operations Appropriation provided by this Act, up to an amount not to exceed \$2,500 each fiscal year, promotional items, authorized by the Secretary of the Department to meet requirements of the Arkansas State Police Strategic Recruitment Plan.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0960 DPS - Division of Arkansas State Police**

**ACT#: 138**

**SECTION#: 53**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

ASP - MOTOR VEHICLE PURCHASE. The Arkansas State Police is hereby authorized to purchase motor vehicles from the appropriations authorized for Capital Outlay in the State Police Operations and/or Confiscated Funds Transfer appropriation in this Act. Motor vehicles donated to Arkansas State Police and confiscated vehicles used for Arkansas State Police operations shall not be included in the maximum number of authorized passenger vehicles.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

AGENCY REQUEST



**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0710 DHS - Aging, Adult & Behavioral Health**

**ACT#: 121**

**SECTION#: 13**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

BEHAVIORAL HEALTH SERVICES. Pay rates for physicians and chief psychologists within the Division of Aging, Adult, and Behavioral Health Services may include the special allowances available to UAMS physicians and professional faculty as authorized in Arkansas Code. Part of the salaries of such staff will come from the receipt of professional income in the care of patients and/or funds received from federal agencies, foundations and other private sponsors in the support of research. Provided that any such allowance shall not exceed, for any employee, an amount equal to two and one half times the salary authorized by the General Assembly. The specific Division of Aging, Adult, and Behavioral Health Services classifications covered by this language are:

Class

Code Title

L005N Psychiatric Specialist

L009N DHS Behavioral Health General Physician

L001C Psychologist Supervisor

Prior to these allowances being made available for an individual, they will be approved by the Chief Fiscal Officer of the State and reviewed by the Personnel Committee of the Arkansas Legislative Council or the Joint Budget Committee.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0710 DHS - Aging, Adult & Behavioral Health**

**ACT#: 121**

**SECTION#: 14**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

ARKANSAS HEALTH CENTER. (A) The Department of Human Services shall not close the Arkansas Health Center that provides skilled nursing through specialized services and programs.

(B) The Department of Human Services shall continue to accept clients for whom it has determined that skilled nursing and specialized services are needed at the Arkansas Health Center.

(C) No funds shall be transferred or reduced from the Arkansas Health Center, except for use as federal matching funds, below the approved funding level on March 1, 2003 without the prior approval of the Arkansas Legislative Council or the Joint Budget Committee.

(D) Determining the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Department of Human Services may operate more efficiently if some flexibility is provided to the Department of Human Services authorizing broad powers under this Section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0710 DHS - Aging, Adult & Behavioral Health**

**ACT#: 121**

**SECTION#: 14**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2024~~  
2025 through June 30, ~~2025~~ 2026.

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0710 DHS - Aging, Adult & Behavioral Health**

**ACT#: 121**

**SECTION#: 15**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~SPECIAL RATES OF PAY AND EMPLOYMENT WORK DAYS. For employees hired on or after July 1, 2013, at the Arkansas State Hospital in the classifications listed below, the Division of Aging, Adult, and Behavioral Health Services Director shall implement salary adjustments utilizing the approved pay grid for teachers employed by the Arkansas Schools for the Blind and Deaf.~~

~~To achieve the salary adjustments, the Division of Aging, Adult, and Behavioral Health Services is authorized to pay special rates of pay for classifications at the Arkansas State Hospital listed below:~~

Classification	Title	Grade
E035C	Certified Masters Teacher	GS08
E044C	Certified Bachelors Teacher	GS06

~~Funding for the minimum compensation provided for in this section that is supported in whole or in part from general revenues, shall, if required, be provided by a transfer from the Performance Fund to the proper fund or fund account and in such amounts as determined by the Chief Fiscal Officer of the State. The Division of Aging, Adult, and Behavioral Health Services shall in addition to the funds provided in this Act for Annual Career Service Recognition Payments from the Performance Fund, make available any funding generated from agency salary savings for such purposes from the funds or fund accounts as provided by law.~~

~~For employees hired on or after July 1, 2013, at the Arkansas State Hospital in the classifications listed above either a Certified Masters Teacher or Certified Bachelors Teacher, the Division of Aging, Adult, and Behavioral Health Services Director shall set the number of work days for~~

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0710 DHS - Aging, Adult & Behavioral Health**

**ACT#: 121**

**SECTION#: 15**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

the employment year to equal the number of days worked by those employed in the same classifications at the Arkansas Schools for the Blind and Deaf. The accrual, use, and carryover of sick days, personal days, and holidays of the employees at the Arkansas State Hospital that are hired on or after July 1, 2013, ~~or current employees choosing to adopt this plan,~~ shall be treated in the same manner as those employed in the same classifications at the Arkansas Schools for the Blind and Deaf.

~~Those currently employed at the Arkansas State Hospital in the classifications listed above as of June 30, 2013, have the one-time option of adopting this language or continuing to operate under the same salary, leave and benefit plans they are currently receiving. Employees must make their decision by June 30, 2013.~~

~~Accrued annual and holiday leave, up to 240 hours, as of June 30, 2013, will be paid out to current employees choosing to adopt this plan. Any additional accrued annual and holiday leave will be forfeited. Accrued sick leave, as of June 30, 2013, shall be retained on file and shall be exhausted before any newly accrued sick leave may be taken.~~

All employees affected by this section shall be eligible to receive hazardous duty pay for time worked in eligible areas.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0710 DHS - Aging, Adult & Behavioral Health**

**ACT#: 121**

**SECTION#: 16**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

CARRY FORWARD - ~~COMMUNITY BASED CRISIS INTERVENTION~~ CRISIS SERVICES. Any unexpended balance of funds allocated for ~~Community Based Crisis Intervention~~ Crisis Services in the Department of Human Services - Division of Aging, Adult, and Behavioral Health Services from the Behavioral Health Services Fund Account which remains at the close of each state fiscal year shall be carried forward to the next state fiscal year to be used for the same intent and purposes as set forth in law. Any carry forward of unexpended balance of funding as authorized herein may be carried forward under the following conditions:

(1) Prior to June 30, ~~2024~~ 2025, the Agency shall, by written statement, set forth its reason(s) for the need to carry forward said funding to the Department of Finance and Administration Office of Budget;

(2) The Department of Finance and Administration Office of Budget shall report to the Arkansas Legislative Council all amounts carried forward by the September Arkansas Legislative Council or Joint Budget Committee meeting which report shall include the name of the Agency, Board, Commission, or Institution and the amount of the funding carried forward, the program name or line item, the funding source of that appropriation and a copy of the written request set forth in (1) above;

(3) Each Agency, Board, Commission, or Institution shall provide a written report to the Arkansas Legislative Council or Joint Budget Committee containing all information set forth in item (2) above, along with a written statement as to the current status of the project, contract, purpose, etc. for which the carry forward was originally requested no later than thirty (30) days prior to the time the Agency, Board, Commission, or

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0710 DHS - Aging, Adult & Behavioral Health**

**ACT#: 121**

**SECTION#: 16**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

Institution presents its budget request to the Arkansas Legislative Council/Joint Budget Committee; and

(4) Thereupon, the Department of Finance and Administration shall include all information obtained in item (3) above in the budget manuals and/or a statement of non-compliance by the Agency, Board, Commission, or Institution.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0710 DHS - Aging, Adult & Behavioral Health**

**ACT#: 121**

**SECTION#: 17**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

AGING AND ADULT SERVICES - MATCHING FUNDS. The funds appropriated for state match for the Arkansas Senior Olympics Program in this Act shall be paid on a two-to-one state/local matching basis. The Senior Arkansas Sports Organization must certify its portion of the match to the Division of Aging, Adult, and Behavioral Health Services before any funds appropriated for state match for the Arkansas Senior Olympics Program in this Act are disbursed.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

AGENCY REQUEST



**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0710 DHS - Aging, Adult & Behavioral Health**

**ACT#: 121**

**SECTION#: 18**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

AGING AND ADULT SERVICES - NURSING HOME CARE ALTERNATIVES.  
Funding for "Nursing Home Care Alternatives", as it appears in the Aging and Adult Services - Operations appropriation may be used for home delivered meals, adult day care, homemaker/chore, respite care, personal care, health promotion, and other community-based activities. These funds may also be used to match Medicaid community-based programs.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0710 DHS - Aging, Adult & Behavioral Health**

**ACT#: 121**

**SECTION#: 19**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

SENIOR CITIZEN CENTERS. The appropriation in this act for Senior Citizen Centers shall be distributed in the same manner as the funding formula requirements set out in the federal Older Americans Act funding law. The additional funding provided by this provision shall supplement and not supplant any monies currently funding services for Senior Citizen Centers.

The requirements in this section shall only be implemented in accordance with any necessary approval by the Centers for Medicare and Medicaid Services and in the event that additional general revenue funding is provided by the General Assembly for these purposes. Should additional funding provided for these purposes be insufficient to provide for the increases in full, the increases shall be provided to the extent that funding is made available.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0710 DHS - Aging, Adult & Behavioral Health**

**ACT#: 121**

**SECTION#: 20**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

CARRY FORWARD OF UNOBLIGATED GENERAL REVENUE FUNDS FOR SENIOR CITIZEN CENTERS. (a) On June 30, 2019, or as soon as is practicable to determine funds available as authorized in this Section, and each fiscal year thereafter the Chief Fiscal Officer of the State shall cause to be transferred on his or her books and those of the State Treasurer and Auditor of State the balance of unobligated general revenue funds, excluding funds carried forward for other purposes, remaining in the Fund or Fund Accounts and the corresponding paying accounts as determined by the Chief Fiscal Officer of the State, as set out in subsection (b) herein, to the Department of Human Services - Division of Aging, Adult, and Behavioral Health Services paying account to be used exclusively for the disbursement of funds for Senior Citizen Centers in the amount of recouped and recovered general revenue not to exceed five hundred thousand dollars (\$500,000).

(b) Any unobligated general revenue, excluding funds carried forward for other purposes, remaining in the following Fund or Fund Accounts and the corresponding paying accounts at the end of the Fiscal Year that would normally be transferred into the General Revenue Allotment Reserve Fund as recouped or recovered General Revenue shall be transferred as authorized in subsection (a) herein:

- (1) Department of Human Services Administration Fund Account;
- (2) Children and Family Services Fund Account;
- (3) Youth Services Fund Account;
- (4) Developmental Disabilities Services Fund Account;
- (5) Medical Services Fund Account;

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0710 DHS - Aging, Adult & Behavioral Health**

**ACT#: 121**

**SECTION#: 20**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

- (6) Behavioral Health Services Fund Account;
- (7) County Operations Fund Account; and
- (8) Provider Services and Quality Assurance Fund Account.

(c)(1) Any general revenue recouped or recovered as authorized in subsections (a) and (b) herein shall be carried forward to the following fiscal year for Senior Citizen Centers and shall be distributed in the same manner as the funding formula requirements set out in the federal Older Americans Act funding law.

(2) The additional funding provided by this provision shall supplement and not supplant any monies currently funding services for Senior Citizen Centers.

(d) Should additional funding provided for in subsections (a) and (b) herein be insufficient to provide for the full five hundred thousand dollars (\$500,000) authorized, the increases shall be provided to the extent that general revenue is recouped and carried forward.

(e)(1) The Department of Human Services shall provide a written report to the Department of Finance and Administration Budget Office, the Arkansas Legislative Council or Joint Budget Committee the total amount of general revenue carried forward and distributed as set forth in this section no later than thirty (30) days prior to the time the Department presents its budget request to the Legislative Council or Joint Budget Committee.

(2) The Department of Finance and Administration shall include all information obtained in subsection (e)(1) herein in the budget manual submitted to the Arkansas Legislative Council or Joint Budget Committee for the Department.

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0710 DHS - County Operations Division**

**ACT#: 154**

**SECTION#: 10**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

TRANSFER OF TANF BLOCK GRANT FUNDS. Each fiscal year, the Department of Human Services shall transfer the sum of seven million five hundred thousand dollars (\$7,500,000) from the state's federal Temporary Assistance for Needy Families block grant to the Department of Education Division of Elementary and Secondary Education Public School Fund Account to be used solely for the Arkansas Better Chance Program.

If the state match for the Temporary Assistance for Needy Families grant or the state's Temporary Assistance for Needy Families grant is reduced, the amount to be transferred may be adjusted in proportion to the percentage change in the state match or the state's Temporary Assistance for Needy Families grant. The amount to be transferred may also be reduced proportionately if new cost requirements are imposed upon the state as a result of new or revised Temporary Assistance for Needy Families regulations at the federal level.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0710 DHS - County Operations Division**

**ACT#: 154**

**SECTION#: 11**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

RESTRICTIONS ON FINANCIAL ASSISTANCE UNDER THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM.

AGENCY REQUEST

(a)(1) Determining the maximum number of employees, the maximum amount of appropriation, for what purposes an appropriation is authorized, and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly.

(2) The purposes of subsection (a) of this section are typically accomplished by:

(A) Identifying the purpose in the appropriation act;

(B) Delineating such maximums in the appropriation act for a state agency; and

(C) Delineating the general revenue allocations authorized for each fund and fund account by amendment to the revenue stabilization law.

(3) It is both necessary and appropriate that the General Assembly restrict the use of appropriations authorized in this act.

(b)(1) Upon the request of the Governor or the General Assembly, the Department of Human Services shall request a waiver from the federal government to:

(A) Restrict the financial assistance granted to a recipient of the Temporary Assistance for Needy Families Program or its successor program to purchase goods and services that are considered essential and necessary for the welfare of the family, including without limitation:

(i) Food;

(ii) Clothing;

(iii) Housing;

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0710 DHS - County Operations Division**

**ACT#: 154**

**SECTION#: 11**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

(iv) Utilities;

(v) Child care; and

(vi) Incidentals, including without limitation transportation and medicine or medical supplies or equipment not covered by either the Arkansas Medicaid Program or the health benefit plan of the individual; and

(B) Restrict the cash withdrawal from an electronic benefit transfer card account that receives financial assistance under the Temporary Assistance for Needy Families Program or its successor program by electronic benefit transfer system.

(2) If the federal government denies the waiver application, this section shall not be implemented.

(3) If the division does not request a wavier under subdivision (b)(1) of this section, the department shall not allocate, budget, expend, or utilize appropriations under this act for the participation of persons in the Temporary Assistance for Needy Families Program.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0710 DHS - Developmental Disabilities Services Division**

**ACT#: 101**

**SECTION#: 10**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

DEVELOPMENTAL DISABILITIES - GRANTS TO COMMUNITY BASED PROVIDERS. Funds allocated for community-based services under the appropriation for (i) the Grants-in-Aid appropriation in this act, (ii) the Grants/Patient Services Line in the Operations appropriation in this act, and (iii) the Inter-Divisional Programs appropriation in this act, shall be used only to provide services through private community based services licensed or certified by the Arkansas Division of Developmental Disabilities Services (DDS) or licensed or certified by a Provider-Led Arkansas Shared Savings Entity (PASSE). Non-profit community-based programs licensed by the Division of Developmental Disabilities Services are quasi-governmental instrumentalities of the state which provide supports and services to individuals who have a developmental disability or delay, who would otherwise require supports and services through state-operated programs and facilities owned by the State of Arkansas. When licensed providers are involved in delivering services which are Medicaid reimbursable, they must enroll as a provider with the Arkansas Medicaid Program and must bill the Arkansas Medicaid Program for all covered services for eligible individuals.

Services which are covered by the Arkansas State Medicaid Program, including the Provider-Led Arkansas Shared Savings Entity (PASSE) model, will be utilized to the maximum extent possible for any individual who is eligible for Medicaid coverage. It is the intent of this section that DDS, as a general policy, maximize the use of Medicaid funding available for appropriate services.

Licensed private community providers funded from these appropriations for community based services shall:

AGENCY REQUEST



**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0710 DHS - Developmental Disabilities Services Division**

**ACT#: 101**

**SECTION#: 10**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

1. Screen each individual to whom services are provided for a determination of eligibility or ineligibility for Medicaid coverage within thirty days of the first date that services are provided.

2. Meet minimum standards of performance in the delivery of services to people with disabilities as defined by the Department of Human Services - Division of Developmental Disabilities Services.

3. Supply statistical and financial data to the Department of Human Services - Division of Developmental Disabilities Services.

4. Establish and maintain a sound financial management system in accordance with guidelines as set forth by the Department of Human Services.

5. Establish and maintain community support programs designed to provide coordinated care and treatment to ensure ongoing involvement and individualized services for persons with disabilities.

It is the intent of this section to insure that wherever possible and appropriate, Medicaid funds are utilized.

Nothing in this Act shall prevent the Division or any provider from extending emergency services when appropriate measures have been taken in a timely manner to secure Medicaid eligibility.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0710 DHS - Developmental Disabilities Services Division**

**ACT#: 101**

**SECTION#: 11**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

ELIMINATION OF AUTISM WAIVER SERVICES WAITING LIST. Immediately upon the effective date of this Act, the Department of Human Services - Division of Developmental Disabilities Services shall budget, allocate, and expend up to one million dollars (\$1,000,000) for the elimination of the Autism Waiver Services Program waiting list.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0710 DHS - Medical Services Division**

**ACT#: 3**

**SECTION#: 6**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

ACCOUNTS. Such appropriations and fund accounts as may be necessary to administer the provisions of this act shall be established on the books of the Chief Fiscal Officer of the State, State Treasurer, and the Auditor of the State. The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0710 DHS - Medical Services Division**

**ACT#: 3**

**SECTION#: 7**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

POSITIONS. (a) Nothing in this act shall be construed as a commitment of the State of Arkansas or any of its agencies or institutions to continue funding any position paid from the proceeds of the Tobacco Settlement in the event that Tobacco Settlement funds are not sufficient to finance the position.

(b) State funds will not be used to replace Tobacco Settlement funds when such funds expire, unless appropriated by the General Assembly and authorized by the Governor.

(c) A disclosure of the language contained in (a) and (b) of this Section shall be made available to all new hire and current positions paid from the proceeds of the Tobacco Settlement by the Tobacco Settlement Commission.

(d) Whenever applicable the information contained in (a) and (b) of this Section shall be included in the employee handbook and/or Professional Services Contract paid from the proceeds of the Tobacco Settlement.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0710 DHS - Medical Services Division**

**ACT#: 3**

**SECTION#: 8**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

TRANSFER RESTRICTIONS. The appropriations provided in this act shall not be transferred under the provisions of Arkansas Code 19-4-522, but only as provided by this act.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0710 DHS - Medical Services Division**

**ACT#: 3**

**SECTION#: 9**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

TRANSFERS OF APPROPRIATIONS. In the event the amount of any of the budget classifications of maintenance and general operation in this act are found by the administrative head of the agency to be inadequate, then the agency head may request, upon forms provided for such purpose by the Chief Fiscal Officer of the State, a modification of the amounts of the budget classification. In that event, he shall set out on the forms the particular classifications for which he is requesting an increase or decrease, the amounts thereof, and his reasons therefor. In no event shall the total amount of the budget exceed either the amount of the appropriation or the amount of the funds available, nor shall any transfer be made from the capital outlay or data processing subclassifications unless specific authority for such transfers is provided by law, except for transfers from capital outlay to data processing when determined by the Division of Information Systems that data processing services for a state agency can be performed on a more cost-efficient basis by the Division of Information Systems than through the purchase of data processing equipment by that state agency. In considering the proposed modification as prepared and submitted by each state agency, the Chief Fiscal Officer of the State shall make such studies as he deems necessary. The Chief Fiscal Officer of the State shall, after obtaining the approval of the Legislative Council or Joint Budget Committee, approve the requested transfer if in his opinion it is in the best interest of the state.

Upon determination by the Secretary of the Department of Human Services that a Reallocation of Resources is necessary for the effective operation of the Medicaid Tobacco Settlement Program Grants, the

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Secretary, with the approval of the Governor, shall have the authority to request from the Chief Fiscal Officer of the State a transfer of Appropriation. This transfer authority applies only to the Medicaid Tobacco Settlement Program Grants appropriation section of this Act between the Hospital and Medical Services line item and the Prescription Drugs line item. The limitation restrictions applicable to the Department Reallocation of Resources authority applies to this section.

The General Assembly has determined that the agency in this act could be operated more efficiently if some flexibility is given to that agency and that flexibility is being accomplished by providing authority to transfer between certain items of appropriation made by this act. Since the General Assembly has granted the agency broad powers under the transfer of appropriations, it is both necessary and appropriate that the General Assembly maintain oversight of the utilization of the transfers by requiring prior approval of the Legislative Council or Joint Budget Committee in the utilization of the transfer authority. Therefore, the requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

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COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this act shall be limited to the appropriation for such agency and funds made available by law for the support of such appropriations; and the restrictions of the State Purchasing Law, the General Accounting and Budgetary Procedures Law, the Regular Salary Procedures and Restrictions Act, or their successors, and other fiscal control laws of this State, where applicable, and regulations promulgated by the Department of Finance and Administration, as authorized by law, shall be strictly complied with in disbursement of said funds.

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LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by Initiated Act 1 of 2000, the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

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MEDICAL SERVICES - GENERAL MEDICAID RATE METHODOLOGY PROVISIONS.

AGENCY REQUEST

(a) Rates established by the Division of Medical Services for the services or programs covered by this Act shall be calculated by the methodologies approved by the Centers for Medicare and Medicaid Services (CMS). The Division of Medical Services shall have the authority to reduce or increase rates based on the approved methodology. Further, the Division of Medical Services shall have the authority to increase or decrease rates for good cause including, but not limited to: (1) Identification of provider(s) who can render needed services of equal quality at rates less than traditionally charged and who meet the applicable federal and state laws, rules and regulations pertaining to the provision of a particular service;

(2) Identification that a provider or group of providers has consistently charged rates to the Arkansas Medicaid Program greater than to other purchasers of medical services of similar size;

(3) The Division determines that there has been significant changes in the technology or process by which services are provided by a provider or group of providers which has affected the costs of providing services, or;

(4) A severe economic downturn in the Arkansas economy which has affected the overall state budget of the Division of Medical Services.

The Division of Medical Services shall make available to requesting providers, the CMS's inflationary forecasts (CMS Market Basket Index). Rates established with cost of living increases based on the CMS Market Basket Index or other indices will be adjusted annually except when the state budget does not provide sufficient appropriation and funding to affect

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the change or portion thereof.

(b) Any rate methodology changes proposed by the Division of Medical Services both of a general and specific nature, shall be subject to prior approval by the Legislative Council or Joint Budget Committee.

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Department of Human Services - Division of Medical Services may operate more efficiently if some flexibility is provided to the Department of Human Services - Division of Medical Services authorizing broad powers under this section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

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FUND USAGE AUTHORIZED. The Arkansas Children's Hospital may request the Department of Human Services - Division of Medical Services to retain in the Department of Human Services Grant Fund account an amount not to exceed \$2,100,000 from funds made available by this Act in the Child and Family Life Institute line item of the Grants appropriation to be used to match federal funds used for supplemental Medicaid payments to Arkansas Children's Hospital. These retained funds shall not be recovered to transfer to the General Revenue Allotment Reserve Fund.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

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**EXECUTIVE RECOMMENDATION**

ARKANSAS HEALTH AND OPPORTUNITY FOR ME AND ARKANSAS HEALTH INSURANCE MARKETPLACE RESTRICTIONS. (a) As used in this section, "Arkansas Health and Opportunity for Me" means Arkansas Health and Opportunity for Me established under the Arkansas Health and Opportunity for Me Act of 2021, Arkansas Code § 23-61-1001 et seq.

(b)(1) Determining the maximum number of employees, the maximum amount of appropriation, for what purposes an appropriation is authorized, and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly.

(2) The purposes of subdivision (b)(1) of this section are typically accomplished by:

(A) Identifying the purpose in the appropriation act;

(B) Delineating such maximums in the appropriation act for a state agency; and

(C) Delineating the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization Law, Arkansas Code § 19-5-101 et seq.

(3) It is both necessary and appropriate that the General Assembly restrict the use of appropriations authorized in this act.

(c)(1) Except as provided in this subsection, the Department of Human Services shall not allocate, budget, expend, or utilize any appropriation authorized by the General Assembly for the purpose of advertisement, promotion, or other activities designed to promote or encourage enrollment in the Arkansas Health Insurance Marketplace or Arkansas Health and Opportunity for Me, including without limitation:

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(A) Unsolicited communications mailed to potential recipients;

(B) Television, radio, or online commercials;

(C) Billboard or mobile billboard advertising;

(D) Advertisements printed in newspapers, magazines, or other print media; and

(E) Internet websites and electronic media.

(2) This subsection does not prohibit the department from:

(A) Direct communications with:

(i) Licensed insurance agents; and

(ii) Persons licensed by the department;

(B) Solicited communications with potential recipients;

(C)(i) Responding to an inquiry regarding the coverage for which a potential recipient might be eligible, including without limitation providing educational materials or information regarding any coverage for which the individual might qualify.

(ii) Educational materials and information distributed under subdivision (c)(2)(C)(i) of this section shall contain only factual information and shall not contain subjective statements regarding the coverage for which the potential recipient might be eligible; and

(D) Using an Internet website for the exclusive purpose of enrolling individuals in the Arkansas Health Insurance Marketplace or Arkansas Health and Opportunity for Me.

(d) The Department of Human Services shall not apply for or accept

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any funds, including without limitation federal funds, for the purpose of advertisement, promotion, or other activities designed to promote or encourage enrollment in the Arkansas Health Insurance Marketplace or Arkansas Health and Opportunity for Me.

(e)(1) Except as provided in subdivision (e)(2) of this section, the Department of Human Services shall not:

(A)(i) Except as provided in subdivision (e)(1)(A)(ii) of this section, allocate, budget, expend, or utilize an appropriation authorized by the General Assembly for the purpose of funding activities of navigators, guides, certified application counselors, and certified licensed producers under the Arkansas Health Insurance Marketplace Navigator, Guide, and Certified Application Counselors Act, Arkansas Code § 23-64-601 et seq.

(ii) Subdivision (e)(1)(A)(i) of this section does not apply to regulatory and training responsibilities related to navigators, guides, certified application counselors, and certified licensed producers; and

(B) Apply for or accept any funds, including without limitation federal funds, for the purpose of funding activities of navigators, guides, certified application counselors, and certified licensed producers under the Arkansas Health Insurance Marketplace Navigator, Guide, and Certified Application Counselors Act, Arkansas Code § 23-64-601 et seq.

(2) Subdivision (e)(1) of this section does not apply to certified application counselors at health related institutions, including without limitation the University of Arkansas for Medical Sciences.

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(f) An appropriation authorized by the General Assembly shall not be subject to the provisions allowed through reallocation of resources or transfer of appropriation authority for the purpose of transferring an appropriation to any other appropriation authorized for the Department of Human Services to be allocated, budgeted, expended, or utilized in a manner prohibited by this section.

(g) The provisions of this section are severable, and the invalidity of any subsection or subdivision of this section shall not affect other provisions of the section that can be given effect without the invalid provision.

(h) This section expires on June 30, ~~2025~~ 2026.



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**EXECUTIVE RECOMMENDATION**

MEDICAL SERVICES - COMMUNITY AND EMPLOYMENT SUPPORTS MEDICAID WAIVER.

AGENCY REQUEST

(a) Of the funding allocated to the Department of Human Services Grants Fund Account under § 19-5-402, the first thirty-seven million six hundred thousand dollars (\$37,600,000) shall be set aside in its own subfund by the Department of Human Services and shall be used only for home and community-based services to individuals with intellectual and developmental disabilities under the Community and Employment Supports Medicaid Waiver Program or a successor Medicaid Waiver program that provides home and community-based services to individuals with intellectual and developmental disabilities.

(b) At the close of the fiscal year ending June 30, ~~2025~~ 2026, any unexpended balance of monies set aside as established in subsection (a) herein shall be transferred forward and made available for the same purpose for the fiscal year ending June 30, ~~2026~~ 2027.

(c) The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

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**EXECUTIVE RECOMMENDATION**

~~ASSISTED LIVING FACILITY REIMBURSEMENT— ACCOUNTING OF HOME AND COMMUNITY-BASED FUNDS.~~

AGENCY REQUEST

~~(a)(1) The Department of Human Services shall take the necessary action to submit a waiver application to the Centers for Medicare and Medicaid Services to increase reimbursement rates for assisted living facilities under the Living Choices Assisted Living Waiver.~~

~~(2) The department shall study and explore methods to increase the reimbursement rates for assisted living facilities under the Living Choices Assisted Living Waiver, including without limitation setting the reimbursement rate for assisted living facilities under the Living Choices Assisted Living Waiver as a percentage of the reimbursement rate for nursing home facilities.~~

~~(b) The department shall provide an accounting of funds allocated to qualifying entities under home and community-based services to the Legislative Council.~~

~~(c)(1) The Secretary of the Department of Human Services shall provide, in person, a monthly update to the Legislative Council on the status of the actions listed in subsections (a) and (b) of this section until the conclusion or resolution of these actions.~~

~~(2) If the General Assembly is in session, the secretary shall provide the updates described in subdivision (c)(1) of this section to the Joint Budget Committee.~~

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**EXECUTIVE RECOMMENDATION**

MEDICAID PROGRAM TRUST FUND DISTRIBUTION AND BALANCE REPORT.

AGENCY REQUEST

(a) The Department of Human Services shall submit monthly an "Arkansas Medicaid Program Trust Fund Distribution and Balance" report to the Arkansas Legislative Council PEER Subcommittee or, if meeting in a Legislative Session, the Joint Budget Committee PEER/Review Subcommittee no later than ten days prior to the Subcommittee's scheduled meeting date.

(b) The report shall summarize the current total fund balance and the past five Fiscal Year ending total fund balances of the Arkansas Medicaid Program Trust Fund.

(c) The report shall contain, cumulatively over the course of the fiscal year, by month for each distribution from the Arkansas Medicaid Program Trust Fund and its subfunds, the following:

- (1) The amount of the distribution;
- (2) The date of the distribution;
- (3) The fund code to which the distribution was made;
- (4) The appropriation line item name from which the funds are distributed; and
- (5) The purpose of the distribution.

(d) The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

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~~SEVERABILITY. If any provisions of this act or the application of this act to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.~~

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**EXECUTIVE RECOMMENDATION**

SECRETARY'S OFFICE/OFFICE OF CHIEF COUNSEL - PURCHASE OF EVIDENCE. Upon approval by the Chief Fiscal Officer of the State, the Chief Counsel for the Department of Human Services may transfer an amount up to but not to exceed \$12,000 and deposit same in a bank account for the purpose of purchasing evidence in the course of investigating the illegal use of food stamps/Electronic Benefit Transfer (EBT) cards. The funds so transferred shall be subject to accounting in a manner substantially similar to that employed by the Arkansas State Police for such transactions; provided however, that information tending to identify participants in such transactions shall be exempt from the Arkansas Freedom of Information Act.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

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**EXECUTIVE RECOMMENDATION**

HUMAN SERVICES RENOVATION FUND. Department of Human Services Renovation Fund.

AGENCY REQUEST

(a) There is established on the books of the Treasurer of State, Auditor of State, and the Chief Fiscal Officer of the State a fund to be known as the Department of Human Services Renovation Fund.

(b) This fund shall be used for constructing, acquiring, renovating, maintaining, repairing, and equipping facilities of the Department of Human Services and for paying disallowances by the federal government.

(c) The fund shall consist of:

- (1) Federal reimbursement received by the Department of Human Services and deposited in the various fund accounts of the department; and
- (2) General revenues transferred from the Division of Youth Services, the Division of Aging, Adult, and Behavioral Health Services, and the Division of Developmental Disabilities Services for the purposes of repairing, renovating, equipping, acquiring and constructing Department of Human Services facilities with an annual maximum of five million dollars (\$5,000,000). The projects for which these transfers are authorized must be projects which were unanticipated during the preceding regular session of the Arkansas General Assembly and must be projects which, if not carried out in the interim period between regular sessions of the Arkansas General Assembly would cause greater harm to the facilities, clients or programs of the Department of Human Services than to wait until the next regular session.
- (3) Other non-general revenue funds as may be available within the Department of Human Services that can be used for the purposes of this

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fund.

(d)(1) At the request of the Secretary of the Department of Human Services, and upon certification of the availability of such funds, the Chief Fiscal Officer of the State shall initiate the necessary transfer documents to reflect the transfer on the books of record of the Treasurer of State, the Auditor of State, the Chief Fiscal Officer of the State, and the Department of Human Services.

(2) The Secretary of the Department of Human Services shall submit any transfer plan to and must receive approval of the plan from the Chief Fiscal Officer of the State, the Governor and the Arkansas Legislative Council or Joint Budget Committee prior to the effective date of the transfer.

(e) Provided, that any non-general revenue funding that may remain in the fund at the end of any fiscal year shall be carried over into the next fiscal year and all obligated general revenue funding that may remain in the fund at the end of any fiscal year shall be carried over into the next fiscal year to satisfy such legal and contractual obligations that have been entered into prior to the end of the fiscal year.

(f) Determining the amount of funds appropriated to a state agency is the prerogative of the General Assembly and is usually accomplished by delineating specific line items and by identifying the appropriation and funding attached to that line item. The General Assembly has determined that the Department of Human Services could be operated more efficiently if some flexibility is given to that agency. That flexibility is being accomplished by providing transfer authority in subsection (d) of this section, and since the General Assembly has granted the agency broad

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powers under the transfer authority concept, it is both necessary and appropriate that the General Assembly maintain oversight of the utilization of the transfer authority by requiring prior approval of the Legislative Council or Joint Budget Committee in the utilization of this transfer authority. Therefore, the requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.



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TRANSFER AUTHORITY. The Secretary of the Department of Human Services shall have transfer authority provided by the following:

(a) DEPARTMENT OF HUMAN SERVICES RENOVATION FUND. The Secretary of the Department of Human Services is authorized to request fund transfers according to the provisions established by Arkansas Code Ann. 19-5-1020, Department of Human Services Renovation Fund, as amended herein; and

(b) MATCH TRANSFER. The Secretary of the Department of Human Services, with the approval of the Chief Fiscal Officer of the State, is authorized to effect inter-agency and inter-divisional fund transfers for the purpose of providing the State's matching share for payments made to that Division or Office or its service providers for services eligible for federal reimbursement under programs administered by the Department of Human Services. The Department of Human Services shall report to the Legislative Council or Joint Budget Committee on a quarterly basis all fund transfers made in accordance with the authority granted by this section; and

(c) REALLOCATION OF RESOURCES: (1) The Department of Human Services (DHS) provides hundreds of different services to over 1 million Arkansans. The specific mix of service needs and the funding and staffing required to provide them can vary significantly based on many factors, including natural disasters, changing federal mandates and funding sources, demographic shifts, fluctuating court-ordered services, social trends, and job market variations such as nursing shortages. The impact of these factors through the course of any fiscal year make it very difficult for the Department to accurately predict the exact needs for funding,

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appropriation and positions in each of its over 100 different appropriations. To ensure that it can respond quickly to changing client needs and make the most effective use of the resources allocated to it, the Department of Human Services shall be authorized to utilize the reallocation of resource authority to make the proper adjustments to the budgets within the Department. Therefore, upon determination by the Secretary of the Department of Human Services that a reallocation of resources within the department is necessary for the efficient and effective operation of the department, the Secretary, with approval of the Governor, shall have the authority to request, from the Chief Fiscal Officer of the State, a transfer of positions, appropriations, line item appropriations, and funds within or between existing and newly created divisions, offices, sections, or units of the department. Provided, however, that no transfer of funds or appropriation that provides direct support or matching support for the Arkansas Medicaid Program shall be made to any other fund account or appropriation that does not directly support the Arkansas Medicaid Program. Further, no positions, funds, or appropriation authorized during the budget process for the Division of Children and Family Services' compliance with initiatives established under the Angela R. consent decree shall be transferred to any other division. Nothing in this provision is intended to prevent the one-time transfers of savings in any other program to the Arkansas Medicaid Program, with the exception of the provisions previously cited for the Division of Children and Family Services - Angela R. consent decree. The Division of Developmental Disabilities - Grants to Community Providers line item of the Developmental Disabilities Services -

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Grants-in-Aid appropriation may not be decreased. The appropriation, funding, and positions provided for the five Human Development Centers shall remain at a level sufficient to ensure quality care for the Centers' residents. The exemptions provided in this subsection whereby certain DHS Programs and Divisions are protected from appropriation, fund, or position transfers are applicable only to the reallocation or transfer authority granted herein, and not by any reductions which are applicable to all state programs.

The Secretary of the Department of Human Services shall submit any requests for transfers to and must receive approval of the requests for transfers from the Chief Fiscal Officer of the State, the Governor, and the Arkansas Legislative Council or Joint Budget Committee prior to the effective date of the transfers. Provided, however, that the Department of Human Services shall be limited to submitting no more than four reallocation of resources transfer requests during any fiscal year. In each Departmental request no single division will request reallocation for more than one purpose as listed in this section. Transfer authority for unforeseen purposes shall further be limited to no more than 5% of the total appropriation, funding, and positions authorized for the Department. Reallocation of resources transfers may include multiple items but shall be limited to the following purposes:

- i) Medicaid Program;
- ii) Facilities and institutions costs, including operational expenses and construction/renovation/equipping expenses;
- iii) Departmental grants and contracts;

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- iv) Court ordered settlements and payments;
- v) Payment of administrative expenses, including but not limited to, overtime and other costs of personnel for critical services or functions necessary to carry out the mission of the agency;
- vi) Restructuring efforts as deemed necessary to comply with new and/or unanticipated federal or state mandates; and/or
- vii) Redirecting internal resources, both direct and/or indirect, to meet client needs and services.

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Department of Human Services may operate more efficiently if some flexibility is provided to the Department of Human Services authorizing broad powers under the Reallocation of Resources provisions herein. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

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(2) If it is determined that the requested reallocation of resources transfers should be made, the Chief Fiscal Officer of the State shall then initiate the necessary transfer documents to reflect the transfers upon the fiscal records of the Treasurer of State, the Auditor of State, the Chief Fiscal Officer of the State, and the Department of Human Services. In addition, the Chief Fiscal Officer of the State, together with the Co-Chairpersons of the Legislative Council or Joint Budget Committee, may approve, on an emergency basis, requests for utilization of this Section without prior approval of the Arkansas Legislative Council or Joint Budget Committee, with any such actions reported at the next meeting of the Arkansas Legislative Council or Joint Budget Committee.

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~~EMPLOYEE SURVEY.~~

AGENCY REQUEST

~~(a) The Department of Human Services will develop and implement a plan for measuring and improving employee engagement among employees of the State's Human Development Centers for the purpose of:~~

~~(1) Receiving and acting on employee feedback on areas including without limitation:~~

~~(A) Employee engagement;~~

~~(B) Supervision;~~

~~(C) Strategy;~~

~~(D) Workplace community and climate;~~

~~(E) Information systems;~~

~~(F) Pay;~~

~~(G) Benefits;~~

~~(H) Employee development; and~~

~~(I) Job satisfaction;~~

~~(2) Assessing and systematically identifying problematic areas;~~

~~(3) Identifying areas to be improved;~~

~~(4) Developing improvement strategies and recommending changes to problematic areas; and~~

~~(5) Assessing management and leadership.~~

~~(b) The Department will develop the plan under this section with the intent of modeling and implementing employee engagement efforts in other divisions of the department.~~

~~(c) The Department may contract with an outside entity to aid in~~

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**EXECUTIVE RECOMMENDATION**

~~plan development, implement the plan, or assist with implementation of the plan under this section.~~

~~(d) The Department will adopt internal employment policies as necessary to implement the plan under this section.~~

~~(e) The Department will submit a written report of the plan under this section and ongoing implementation efforts to Legislative Council no later than December 1, 2022. The report will identify without limitation the data received, the issues identified, and the lessons learned to date.~~

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**ACT#: 153**

**SECTION#: 13**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

Arkansas State Hospital. - Insurance reimbursements and unspent set-aside funds for repairs recoupment.

AGENCY REQUEST

(a) An insurance reimbursement received by the Department of Human Services to reimburse funds that were transferred from the EBD or Contingency Set-Aside in the Restricted Reserve Fund for critical storm damage repair for the Arkansas State Hospital shall be transferred, as the insurance reimbursement is received, on the books of the Chief Fiscal Officer of the State, the Treasurer of State, and the Auditor of State from the appropriate fund or fund account into which the department deposited the insurance reimbursement payment to:

(1) The EBD or Contingency Set-Aside in the Restricted Reserve Fund if the EBD or Contingency Set-Aside in the Restricted Reserve Fund is currently active with a balance greater than zero dollars (\$0.00); or

(2) The General Revenue Allotment Reserve Fund if the EBD or Contingency Set-Aside in the Restricted Reserve Fund is no longer active.

(b) Any funds received by the department for critical storm damage repair for the Arkansas State Hospital from the EBD or Contingency Set-Aside in the Restricted Reserve Fund that remain upon completion of the storm damage repair project shall be transferred as provided for insurance reimbursements under subsection (a) of this section.

(c) The Secretary of the Department of Human Services shall notify the Chief Fiscal Officer of the State and the Performance Evaluation and Expenditure Review Subcommittee of the Legislative Council or, if the General Assembly is in session, the PEER/Review Subcommittee of the Joint



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**EXECUTIVE RECOMMENDATION**

Budget Committee, of the following to allow for the transfers provided for in subsections (a) and (b) of this section:

(1) The receipt of an insurance reimbursement by the department for critical storm damage repair for the Arkansas State Hospital; and

(2) Upon completion of the storm damage repair project, the amount of any remaining funds described in subsection (b) of this section.

(d) The department shall report quarterly to the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee:

(1) The status of the storm damage repair project;

(2) The projected completion time lines for the storm damage repair project;

(3) The total amount of the insurance reimbursements received by the department to date for the storm damage repair project; and

(4) Any remaining balance of the original five million dollars (\$5,000,000) transferred to the department from the EBD or Contingency Set-Aside in the Restricted Reserve Fund.

(e) This section is effective on July 1, 2024, and until the final transfer of funds has been made as provided in this section.

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**0710 DHS - Youth Services Division**

**ACT#: 124**

**SECTION#: 8**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

TRANSFER OF FUNDS FOR THE JUVENILE OMBUDSMAN PROGRAM. The Department of Human Services shall provide funding in an amount not to exceed \$240,000 for the fiscal year ending June 30, ~~2025~~ 2026 for the Juvenile Ombudsman Program described in ACA 16-87-216. Upon request by the Executive Director of the Arkansas Public Defender Commission, the Chief Fiscal Officer of the State shall transfer an amount not to exceed \$240,000 for the fiscal year ending June 30, ~~2025~~ 2026 from an account designated by the Secretary of the Department of Human Services to the State Central Services Fund as a direct revenue to fund the Juvenile Ombudsman Program.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0710 DHS - Youth Services Division**

**ACT#: 124**

**SECTION#: 9**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

TRANSFER OF FUNDS FOR LOCAL JUVENILE DETENTION FACILITIES. The Chief Fiscal Officer of the State shall transfer funds in an amount of \$400,000 for the fiscal year ending June 30, ~~2025~~ 2026 from the Department of Human Services - Youth Services Fund Account to the Juvenile Detention Facilities Operating Fund to fund the appropriation to the Department of Finance and Administration - Disbursing Officer for grants for operating expenses of local juvenile detention facilities.

The amount of the funds transferred in the fiscal year ending June 30, ~~2025~~ 2026 may be adjusted upon request of the Secretary of the Department of Human Services on a pro-rata basis with any reductions provided in the Revenue Stabilization Law from the July 1 Official Forecast of general revenue funding for the Division of Youth Services.

The provisions of this section shall be in effect only from July 1, ~~2024~~ 2025 through June 30, ~~2025~~ 2026.

AGENCY REQUEST

**2025 - 2027 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0710 DHS - Youth Services Division**

**ACT#: 124**

**SECTION#: 10**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

RESIDENTIAL SERVICES CONTINGENCY. If it has been determined that the Department of Human Services - Division of Youth Services cannot continue to contract with private provider(s) for residential juvenile services, educational services, therapeutic services, and/or medical services and deems it necessary to utilize Department staff to provide all or parts of the required services above, the Department is authorized to seek the approval of the Chief Fiscal Officer of the State, the Governor and the Arkansas Legislative Council or Joint Budget Committee to utilize the contingent residential services positions contained in this Act and to make the appropriate transfers from any line item authorized in the RESIDENTIAL SERVICES appropriation of this Act to any line item authorized in the OPERATIONS appropriation of this Act. If it has been determined that the Department of Human Services - Division of Youth Services cannot continue to operate one or more of the various service components of a Residential Facility for residential juvenile services, educational services, therapeutic services, and/or medical services and deems it necessary to utilize a contract with private provider(s), the Department is authorized to seek the approval of the Chief Fiscal Officer of the State, the Governor and the Arkansas Legislative Council or Joint Budget Committee to make the appropriate transfers from any line item authorized in the OPERATIONS appropriation of this Act to any line item authorized in the RESIDENTIAL SERVICES appropriation of this Act.

AGENCY REQUEST

The provisions of this section shall be in effect only from July 1, ~~2024-2025~~ through June 30, ~~2025~~ 2026.

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**0710 DHS - Youth Services Division**

**ACT#: 124**

**SECTION#: 11**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

EXTRA HELP SALARIES - CONTINGENT RESIDENTIAL SERVICES POSITIONS.  
 There is hereby established for the Department of Human Services - Division of Youth Services - Contingent Residential Services Positions, the following maximum number of positions whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code § 21-5-201 et seq.), or its successor, and all laws amendatory thereto. Requests to use positions will be based upon the non-contracted services for residential juvenile services, educational services, therapeutic services, and/or medical services. If at such time a category(s) of services are contracted with private provider(s), identified positions associated with such service(s) shall be returned to the contingency pool. In order to ensure required staffing levels, Extra Help positions authorized herein are specifically exempt from limitation of hours, either by Act or regulation.

AGENCY REQUEST

CONTINGENT POSITIONS - RESIDENTIAL SERVICES

			MAXIMUM
ITEM	CLASS		NO. OF
NO.	CODE	TITLE	EMPLOYEES
(01)	9999	EXTRA HELP	<u>320</u>
GRAND TOTAL CONTINGENT POSITIONS			320

The provisions of this section shall be in effect through June 30,

~~2025~~ 2026.